00141352

Digitized with financial assistance from the
Government of Maharashtra
on 26 March, 2016

CURRAN

AND

HIS CONTEMPORARIES

BY

CHARLES PHILLIPS, Esq., A.B.

ONE OF HER MAJESTY'S COMMISSIONERS OF THE COURT
FOR THE RELIEF OF INSOLVENT DEBTORS

"HE WAS MY FRIEND"

141352

WILLIAM BLACKWOOD AND SONS
EDINBURGH AND LONDON
MDCCCL

PRINTED BY WILLIAM BLACKWOOD AND SONS, EDINBURGH

TO

LORD BROUGHAM AND VAUX.

POETRY HAS SAID, THAT

"THE FRIENDSHIP OF A GREAT MAN IS A GIFT OF THE GODS."

IN CURRAN'S

I ONCE POSSESSED IT.

IN LORD BROUGHAM'S

I AGAIN ENJOY IT.

TO THESE PAGES, THEREFORE, AFFECTIONATELY DEVOTED

TO THE MEMORY OF THE ONE,

I PROUDLY AND GRATEFULLY, WITH HIS OWN PERMISSION, PREFIX

THE NAME OF THE OTHER.

LONDON,
October 1850.

PREFACE

THE book upon which the present work is founded, after having gone through two editions, has been now out of print for very many years. Constant occupation in a laborious profession hitherto rendered its revision impossible, and I was unwilling that a third edition should issue in its originally crude and imperfect state. Comparative leisure now enables me to reproduce it, let me hope, somewhat more deserving of the indulgence with which it was received.

The period of which it treats was one of vital interest to Ireland, and the men which it produced were not unworthy of the period. My object has been, touching as lightly as possible on the politics of the time, to give merely personal sketches of the characters, as they appeared upon the scene, to me. Many of these were my acquaintances—some of them my intimates; and the aim throughout has been—a verisimilitude in the portraiture;—in short, to

make the reader as familiar with the originals as I was myself. Of many of these it is possible he may not have even heard the names, and, of many others, very little more. Let me hope that he will rejoice in a more intimate acquaintance with them; and that, in endeavouring to elevate the land of my birth, I may also have made some humble return for the kindness bestowed on me by that of my adoption.

LONDON, *November* 1850.

CURRAN

AND

HIS CONTEMPORARIES

The title which I have prefixed to this volume strictly speaks what I intend it to be. No laboured detail, no tedious narrative, no ambitious display of either fine writing or critical investigation,—but the simple, and, in some measure, the *self-drawn* picture of a man who was a great ornament to the country in which it was his misfortune to be born. Before I proceed one step in my progress, the reader has a right to know what claim there is on his credulity, or what are the qualifications for the execution of such an undertaking. Early in life, I had been so accustomed to hear the name of Curran mentioned with admiration long before I could understand the reason, that I began to make his character an absolute article in my literary creed, and to hold it in a kind of traditional reverence. As the mind strengthened, an inquiry naturally arose into the causes of such enviable celebrity. The bonvivant referred me to his wit; the scholar to his eloquence; the patriot to his ardent and undeviating principle. The questions on which he had voted were connected with the best days of Ireland, and his vote was always on the side of his country; the causes which he had

advocated were sometimes of the most personal, and sometimes of the most public interest, and in these his eloquence was without a parallel; while his innumerable pleasantries formed, as it were, the *table currency* of a people proverbially convivial. With such a complication of proofs, my judgment readily confirmed what my schoolboy faith had received: his speeches became my manual, his name almost my adoration; and in a little poem,* composed whilst at the Temple, I gave him the rank which I thought he merited amongst the ornaments of his country. The subject of the poem gave it circulation, and either fame or friendship soon brought it to the notice of Mr Curran. When I was called to the bar he was on the bench; and, not only bagless, but briefless, I was one day with many an associate taking the idle round of the hall of the Four Courts, when a common friend told me he was commissioned by the Master of the Rolls to invite me to dinner that day at the Priory, a little country villa about four miles from Dublin. Those who recollect their first introduction to a really great man, may easily comprehend my delight and my consternation. Hour after hour was counted as it passed, and, like a timid bride, I feared the one which was to make me happy. It came at last, the important *five o'clock*, the *ne plus ultra* of the guest who would not go dinnerless at Curran's. Never shall I forget my sensations when I caught the first glimpse of the little man through the vista of his avenue. There he was, as a thousand times afterwards I saw him, in a dress which you would imagine he had borrowed from his tip-staff—his hands in his sides—his face almost parallel with the horizon—his under lip protruded, and the impatient step and the eternal attitude

* The Emerald Isle.

only varied by the pause during which his eye glanced from his guest to his watch, and from his watch reproachfully to his dining-room. It was an invincible peculiarity; one second after five o'clock, and he would not wait for the Viceroy. The moment he perceived me, he took me by the hand, said he would not have any one introduce me, and with a manner which I often thought was *charmed*, at once banished every apprehension, and completely familiarised me at the Priory. I had often seen Curran —often heard of him—often read him—but no man ever knew anything about him who did not see him at his own table with the few whom he selected. He was a little convivial deity! He soared in every region, and was at home in all; he touched everything, and seemed as if he had created it; he mastered the human heart with the same ease that he did his violin. You wept, and you laughed, and you wondered; and the wonderful creature who made you do all at will never let it appear that he was more than your equal, and was quite willing, if you chose, to become your auditor. It is said of Swift that his rule was to allow a minute's pause after he had concluded, and then, if no person took up the conversation, he recommenced. Curran had no conversational rule whatever; he spoke from impulse; and he had the art so to draw you into a participation that, though you felt an inferiority, it was quite a contented one. Indeed, nothing could exceed the urbanity of his demeanour. At the time I speak of he was turned of sixty, yet he was as playful as a child. The extremes of youth and age were met in him; he had the experience of the one and the simplicity of the other. At five o'clock we sat down to dinner, during which the host gave ample indications that it was one of his happy days. He had his moody ones: there was no one more uncertain. Joyous was my anticipation

of a delightful evening. But, alas! what are the hopes of man? When the last dish had departed, Curran totally confounded me with a proposal, for which I was anything but prepared—"Mr Phillips, as this is the first of, I hope, your very many visits to the Priory, I may as well at once initiate you into the peculiarities of the place. You may observe, though the board is cleared, there are no preparations for a *symposium*: it all depends on you. My friends here generally prefer *a walk* after dinner. It is a sweet evening; but if you wish for wine, say so without ceremony." Even now can I see Curran's star-like eyes twinkling at the disappointment no doubt visible in mine. I had heard, and truly, that he never was more delightful than with half-a-dozen friends, after dinner, over his bottle. The hope in which I so long had revelled was realised at last—and here came this infernal walk and the "sweet evening!" Oh, how I would have hailed a thunder-storm! But, to say the truth, the sun was shining, and the birds were singing, and the flowers were blooming and breathing so sweetly on that autumn eve, that, wondering not at the wish of my companions, I also voted for the "walk." Never was man so mystified. We took the walk, no doubt, but it was only to the drawing-room, where over a dessert freshly culled from his gardens, and over wines for which his board was celebrated, we passed those hours which formed an era in my life. It was the commencement of that happy intercourse which gave this world a charm it ought, perhaps, never to possess. Yet, alas! that evening has its moral now. The tongue which chained its hours is in the dust; the joyous few who felt its spell have followed; and all are gone save the mourner who recalls it! There is, in fact, scarcely a page of these recollections which does not fill me with a sense of solitude.

"When I remember all
The friends, so linked together,
I've seen around me fall,
Like leaves in wintry weather,
I feel like one
Who treads alone
Some banquet-hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he, departed."

From that day till the day of his death, I was his intimate and his associate. He had no party to which I was not invited, and, party or no party, I was always welcome. He even went so far as to offer me apartments in his town residence, in Stephen's Green. He was then Master of the Rolls. How often since that day has he run over to me, to its minutest incident, the history of his life; often would he describe his early prospects, his crosses and his successes, his friends and his enemies, and all the varieties of a chequered existence—over whose road, for every mile he passed, he had, like Burke, to pay a toll to envy. Such is the claim which I have to be his biographer. I disclaim being an elaborate, but I hope to be a faithful one; withholding what was confidential, sketching what seemed peculiar or characteristic, writing chiefly from his own authority, and so far, claiming to be authentic.

Mr Curran was born at Newmarket, a small village in the county of Cork, on the 24th of July 1750. His father, James Curran, seneschal of the manor, was possessed, besides the paltry revenue of the office, of a very moderate income. Strange as it may seem, their paternal ancestor came over to Ireland one of Cromwell's soldiers; and the most ardent patriot she ever saw owed his origin to her most merciless and cruel plunderer! Old James Curran's education was pretty much in the ratio of his income. Very different, however, in point of intellectual endow-

ments, was the mother of my friend, whose maiden name, Philpot, he bore himself and preserved in his family. From his account, she must have been a very extraordinary woman. Humble in her station, she was of course uneducated; but nature amply compensated her for any fortuitous deficiencies in that respect. Witty and eloquent, she was the delight of her own circle, and the great chronicle and arbitress of her neighbourhood. Her legends were the traditions of the "olden time," told with a burning tongue, and echoed by the heart of many a village Hampden. Her wit was the record of the rustic fireside; and the village lyric and the village jest received their alternate tinge from the truly national romance or humour of her character. Little *Jacky*, as he was then called, used to hang with ecstasy upon her accents—he repeated her tales—he re-echoed her jests—he caught her enthusiasm; and often afterwards, when he was the delight of the senate and the ornament of the bar, did he boast with tears that any merit he had, he owed to the tuition of that affectionate and gifted mother. Indeed there cannot be the least doubt that the character of the *man* is often moulded from the accidental impression of the childhood; and he must have been but an inaccurate observer who did not trace all the maternal features in the filial piety that delighted to portray them. After her death he placed an humble monument over her remains, upon which he inscribed the following memorial, as well as I can recollect it from his very frequent recital:—

"Here lieth all that was mortal of MARTHA CURRAN— a woman of many virtues—few foibles—great talents, and no vice.—This tablet was inscribed to her memory by a son who loved her, and whom she loved."

Indeed, his recurrences to her memory were continual. He often told me that, after his success at the bar, which

happily she lived to see, and the fruits of which to her death she shared, Mrs Curran has said to him, "O *Jacky, Jacky*, what a *preacher* was lost in you!" The observation proved rather her sagacity than her prudence. Had he directed his talents to the church, there can be no doubt his success would have been splendid: he would have been the poorest and the most popular preacher of the day. He was too independent to fawn, and had too much genius to rise—he would have been adored by the congregation, hated by the bishops, starved on a curacy, and buried perhaps by the parish! Such is often enough the history of such men in the church. I remember him once in an action for a breach of promise of marriage, in which he was counsel for the defendant, a young clergyman, thus appealing to the jury, "Gentlemen, I entreat of you not to ruin this young man by a vindictive verdict, for, *though* he has talents and is in the church, *he may rise!*" His mother, *too* patriotic not to have a large family, was of course *too* much occupied to attend to him exclusively. His father was divided between law and agriculture, and Master Jacky was left to his own devices. At the *fairs*, where wit and whisky provoked alternately the laugh and the fracture—at the *wake*, where the living so mourned the dead that there was soon but little difference between them—he appeared now a mourner and now a mime, until the court of his father was quite scandalised, and the wit of his mother acknowledged to be hereditary. At this period a circumstance occurred which he delighted to relate, as he comically said it first proved his aptitude for oratory. The keeper of a street puppet-show arrived at Newmarket, to the no small edification of the neighbourhood; and the feats of Mr Punch, and the eloquence of his man, soon superseded every other topic. At length, however, Mr Punch's man fell ill, and the whole establishment was

threatened with immediate ruin. Little Curran, who had with his eyes and ears devoured the puppet-show, and never missed the corner of its exhibition, proposed himself to the manager as Mr Punch's man. The offer was gladly accepted; and for a time the success of the substitute was quite miraculous. Crowds upon crowds attended every performance; Mr Punch's man was the universal admiration. At length, before one of the most crowded audiences, he began to expatiate upon the *village politics;* he described the fairs, told the wake *secrets*, caricatured the audience; and, after disclosing every *amour*, and detailing every *scandal*, turned with infinite ridicule upon the very priest of the parish! This was the signal for a general outcry. Every man and maid who had laughed at their neighbour's picture, and pretended not to recognise their own, were outrageously scandalised at such familiarity with *the clergy*. Religion, as on larger theatres, was made the scapegoat; and by one and all, sentence of banishment was passed upon Mr Punch. He was honourable, however, in his concealment of the substitute, whose prudence deprecated such dangerous celebrity. Curran, in after times, used often to declare that he never produced such an effect upon any audience as in the humble character of Mr Punch's man.

At this period of his life it was that an incident occurred which, moulding, as it did, his future fortunes, the reader shall have as nearly as possible as he related it. "I was then," said he, "a little ragged apprentice to every kind of idleness and mischief, all day studying whatever was eccentric in those older, and half the night practising it for the amusement of those who were younger than myself. Heaven only knows where it would have ended. But, as my mother said, I was born to be a great man. One morning I was playing at marbles in the village ball alley,

with a light heart and a lighter pocket. The gibe, and the jest, and the plunder went gaily round; those who won laughed, and those who lost, cheated; when suddenly there appeared amongst us a stranger of very venerable and very cheerful aspect. His intrusion was not the least restraint upon our merry little assemblage; on the contrary, he seemed pleased, and even delighted: he was a benevolent creature, and the days of infancy (after all, the happiest we shall ever see) perhaps rose upon his memory. God bless him! I see his fine form, at the distance of half a century, just as he stood before me in the little ball alley in the days of my childhood! His name was Boyse; he was the rector of Newmarket. To me he took a particular fancy; I was winning, and was full of waggery, thinking everything that was eccentric, and by no means a miser of my eccentricities; every one was welcome to share them, and I had plenty to spare after having freighted the company. Some sweetmeats easily bribed me home with him. I learned from poor Boyse my alphabet and my grammar, and the rudiments of the classics: he taught me all he could, and then he sent me to the school at Middleton—in short, *he made a man of me.* I recollect, it was about five-and-thirty years afterwards, when I had risen to some eminence at the bar, and when I had a seat in Parliament, and a good house in Ely Place, on my return one day from court I found an old gentleman seated alone in the drawing-room, his feet familiarly placed on each side of the Italian marble chimney-piece, and his whole air bespeaking the consciousness of one quite at home. He turned round—it was *my friend of the ball alley!* I rushed instinctively into his arms. I could not help bursting into tears. Words cannot describe the scene which followed. 'You are right, sir; you are right: the chimney-piece is yours—the pictures are yours—the house is yours: you

gave me all I have—my friend—my father!' He dined with me; and in the evening I caught the tear glistening in his fine blue eye when he saw his poor little Jacky, the creature of his bounty, rising in the House of Commons to reply to a *right honourable.* Poor Boyse! he is now gone; and no suitor had a larger deposit of practical benevolence in the court above. This is his wine—let us drink to his memory." Such is a very faint and very humble imitation of the manner in which Mr Curran used to relate this most interesting era in his history; and I never heard him recur to it without weeping. In this place, however, it may be as well to remark, that neither his wit nor his eloquence can receive anything like justice from even the most gifted narrator. It would be quite as easy to paint the waving of a wand—the spell consisted in the very magic of the *movement;* and until the charm of manner can be conveyed in words, the reader must fancy in vain the almost supernatural effect of Curran.

At the school of Mr Carey, in the town of Middleton, he received more than the common classical education of the country. He owed much to the talent and attention of this gentleman, and was always ready to acknowledge it. Indeed, there were few men in any country, or of any class, who had a more general, if not profound acquaintance with the best models of ancient literature. The Greek and Latin poets might be said to be his companions; and his quotations from them, both in conversation and at the bar, were apt and frequent. I remember him myself, in the cabin of one of the Holyhead packets, when we were all rolling in a storm, very deliberately opening his bag, taking out a little pocket Virgil, and sitting down *con amore* to the fourth book of the Æneid, over which, he told me in the morning, he had been crying all night. For my part, as I very unclassically remarked, Dido might

have hanged herself at the mast-head without exciting in me, at the time, an additional emotion. Those who have ever enjoyed the comforts of a ship's cabin in a storm, will know how to excuse my Vandalism. There is a witty instance, current amongst his friends, of the instantaneous application of his classical knowledge. When he was in college, the Rev. Dr Hailes, one of the fellows, during a public examination, continually pronounced the word *nimirum* with a wrong quantity: it was naturally enough the subject of conversation, and his reverence was rather unceremoniously handled by some of the academic critics. Curran affected to become his advocate—"The Doctor is not to blame," said he; "there was only one man in all Rome who understood the word, and Horace tells us so—

"Septimius, Claudi, *nimirum* intelligit *unus*."

At another time, when an insect of very *high birth*, but of very democratic habits, was caught upon the coat, about the appearance of which he was never very solicitous, his friend Egan, observing it, maliciously exclaimed from Virgil—"Eh! Curran:

'Cujum pecus? an Melibœi?'"

at the same time turning with a triumphant jocoseness to the spectators. But Curran, in the coolest manner taking up the line, immediately retorted—

"Non, verum *Ægonis*—nuper mihi tradidit *Ægon*."

It is unnecessary to say against whom the laugh was turned; but we must not anticipate. While, however, we are on the subject of his classical witticisms, his bon-mot upon a brother barrister of the name of *Going* certainly deserves a place. This gentleman fully verified the old adage, that a story never loses in the telling; he took

care continually to add to every anecdote all the graces which could be derived from his own embellishment. An instance of this was one day remarked to Curran, who scarcely knew one of his own stories, it had so grown by the carriage. "I see," said he, "the proverb is quite applicable—'*Vires acquirit eundo*'—it gathers by *Going.*"

The records of a schoolboy's life afford but little for detail or observation. He could not have been very idle, and he never was very industrious; however, there was no period of his life during which he could not do as much in one hour as most other men could do in three, so that the stores of his mind and the negligence of his habits are perfectly reconcilable. From the academy of Middleton he passed on to Trinity College, Dublin, which he entered as a sizar on the 16th of June 1769, aged nineteen, under the tutelage of Doctor Dobbin. He obtained the second place at entrance. Curran's academical course was unmarked by any literary distinction, save the obtaining a scholarship; and, indeed, both for the College and its professors he through life entertained the most sovereign contempt. It is very little to be wondered at. Perhaps there is not to be found in the whole history of literature any institution, so ancient and so endowed, so totally destitute of literary fame as the *Alma Mater* of Ireland.* With the three exceptions of Dr Magee, Dr Millar, and Dr Greaves, there is scarcely a single fellow of modern times who has produced a work which is not beneath contempt; and the English reader should be informed that a fellowship in Dublin College is an office of no inconsiderable emolument. Seven of the fellows are permanent

* There are no doubt, at this moment, many men of genius amongst the junior fellows of the College, but they so totally attach themselves to tuition that literature is out of the question.

stipendiaries on the institution, whose united salaries, &c., are little less than £10,000 a-year. There is a whole host of junior fellows, whose incomes are very considerable, and a variety of livings from £1800 a-year downward, upon which they are billeted as Death takes his revenge upon the extern incumbents for a too free enjoyment of the comforts of this world. Swift, more than a century ago, described the site of his Legion Club to be—

> "Scarce a bowshot from the College—
> *Half the globe from sense or knowledge*"—

and so prophetic, as well as poetic, were the lines, that it has ever since received, both at Cambridge and Oxford, the ignominious appellation of *The Silent Sister*. It is said, by way of extenuation, that the fellows are too much occupied in the tuition of the students to attend to their own literary reputation; and, indeed, that the present Provost* of the College has evinced a regard for his charge almost bordering upon innocent simplicity, no one can doubt after a perusal of the following anecdote. There is attached to it, amongst other advantages, a most magnificent library, of which the regulations were so rigid, and the public hours so few, that it had become, to the externs particularly, almost entirely useless. Strict as the ordinances respecting it were, the rigour of them was latterly so much increased, that a reverend member of the University thought proper formally to allude to it at a visitation. The Provost was called on for his defence. He pleaded the sanction of the board, and declared that the utmost circumspection was now become necessary, as

* This reverend personage has lately, no doubt from the most laudable motives, suppressed the *Historical Society*, an institution which, as a school of eloquence, was unrivalled, and has given to the bar and the senate some of their brightest ornaments. [The person here alluded to has since been made a bishop. I rejoice to say that a more enlightened successor has reopened the Society, and that the University, in every respect, is much improved. 1850.]

the graduates were actually, (gentle reader, start not!)—actually taking to the study of the black art, and becoming horribly industrious about the books of MAGIC!!! Poor man! he absolutely fancied himself at the head of a *college of conjurors!* I may venture to predict, if ever such an institution should spring up in Ireland, its members will be only *bottle conjurors.* That Mr Curran passed through this university without much distinction can hardly be considered as very derogatory to his character. He passed through it as Swift, and Burke, and Goldsmith did before him—

"The glory of the College, and its shame."

But though uncheered by any encouragement, and undistinguished by any favour, by the anonymous superintendants of the day, he was not altogether unvisited by their severity. He was called before their board on the slightest suspicion of irregularity, and generally proved himself more than an overmatch for them. At one time the charge was that he kept *idle women* in his rooms! "I never did, please your reverences," said the embryo advocate, with the expression of a modern saint upon his countenance—"I never did keep any woman *idle* in my room, and I am ready to prove it." Their reverences, I believe, did not require the corroboration. At another time he was called before them for wearing a *dirty shirt.* "I pleaded," said he, "inability to wear *a clean one;* and I told them the story of poor Lord Avonmore, who was at that time the plain, untitled, struggling Barry Yelverton. 'I wish, mother,' said Barry, 'I had *eleven* shirts.' '*Eleven*, Barry!—why *eleven?*' 'Because, mother, I am of opinion that a gentleman, to be *comfortable*, ought to have *the dozen.*' Poor Barry had but *one*, and I made the precedent my justification."

From college he proceeded to London, where he contrived, *quocunque modo*, to enter his name on the books of the Middle Temple. Of his resources in the metropolis I never heard him speak, and the subject was too delicate to introduce. I have it, however, on the authority of a friend who knew him well, that he had some small stipend from the school at Middleton ; and that, in addition to this, he profited by his literary exertions. To the magazines and the newspapers of the day, no doubt, he was a contributor ; and were it possible, it would be not only entertaining, but instructive, to trace the infant glimmering of the intellect which was one day to shine in the "highest noon" of splendour. But the inquiry would be useless. The contemporaries of that day are almost all extinct, and the effusions of his unpractised pen have long since perished with the subjects in which they originated. They have suffered like himself, alas ! the common lot of humanity—a lot which it is in vain for us to deplore, because impossible for us to prevent. Of his literary productions at that early period, I have only been able to collect the following poetic trifles.

LINES WRITTEN AT RICHMOND

On the same spot where weeping Thomson paid
His last sad tribute to his Talbot's shade,
An humble muse, by fond remembrance led,
Bewails the absent where he mourned the dead ;
Nor differs much the subject of the strain,
Whether of death or absence we complain,
Whether we're sundered by the final scene,
Or envious seas disjoining roll between.
Absence, the dire effect, is still the same,
And death and distance differ but in name ;
Yet sure they're different, if the peaceful grave
From haunting thoughts its low-laid tenants save.
Alas ! my friend, were Providence inclined,
In unrelenting wrath to human kind,
To take back every blessing that she gave,
From the wide ruin she would memory save ;

For memory still, with more than Egypt's art,
Embalming every grief that wounds the heart,
Sits at the altar she had raised to woe,
And feeds the source when tears must ever flow.

THE DESERTER'S LAMENTATION

I.

If sadly thinking,
And spirits sinking,
Could more than drinking
Our griefs compose—
A cure for sorrow
From grief I'd borrow;
And hope to-morrow
Might end my woes.

II.

But since in wailing
There's naught availing,
For Death, unfailing,
Will strike the blow;
Then, for that reason,
And for the season,
Let us be merry
Before we go!

III.

A wayworn ranger,
To joy a stranger,
Through every danger
My course I've run.
Now, death befriending,
His last aid lending,
My griefs are ending,
My woes are done.

IV.

No more a rover,
Or hapless lover,
Those cares are over—
"My cup runs low;"
Then, for that reason,
And for the season,
Let us be merry
Before we go!

This song was set to music as a glee, and exquisitely sung by Vaughan, Bartleman, and Mrs Billington. It was very popular.

From a small collection of letters published five-and-thirty years ago, I have selected two as applicable to this interesting period of his life. They are particularly curious, as the one describes his first journey to London, and the other, his sensations after a short domicile in that metropolis. There appears here and there, even in that youthful day, a tinge of the melancholy which afterwards so sadly overcast his latter years. The letters are addressed to the Rev. Henry Weston, who seems to have been an early college friend. The volume has been out of print for very many years, and my extracts have been taken from a copy which fortunately is to be found in the British Museum.

LETTER I.

LONDON, 31 Chandos Street,
July 10, 1773.

"I would have taken a last farewell of my dear Harry from Dublin, if I had not written so shortly before I left it; and indeed I was not sorry for being exempt from a task for which a thousand causes conspired to make me, at that juncture, unqualified. It was not without regret that I could leave a country which my birth, education, and connections had rendered dear to me, and venture alone, almost a child of fortune, into a land of strangers. In such moments of despondence, when fancy plays the self-tormentor, she commonly acquits herself to a miracle, and will not fail to collect in a single group the most hideous forms of anticipated misfortune. I considered myself, besides, as resigning for ever the little indulgences that youth and inexperience may claim for their errors, and

passing to a period of life in which the best can scarce escape the rigid severity of censure; nor could the little vanity of taking the reins of my own conduct alleviate the pain of so dear-bought a transition from dependence to liberty. Full of these reflections, as I passed the gate, I could not but turn and take a last lingering look of poor *Alma Mater:* it was the scene of many a boyish folly and of many a happy hour. I should have felt more confusion at part of the retrospect, had I not been relieved by the recollection of the valuable friendships I had formed there. Though I am far from thinking such a circumstance can justify a past misconduct, yet I cannot call that time totally a blank in which one has acquired the greatest blessing of humanity. It was with a melancholy kind of exultation I counted over the number of those I loved there, while my heart gave a sigh to each name in the catalogue. Nay, even the *Fellows*, whom I never loved, I forgave at that moment—the parting tear blotted out every injury, and I gave them as hearty a benediction as if they had deserved it. As for my general acquaintance—for I could not but go the round—I packed their separate little sighs into one great sigh as I turned round on my heel. My old friend and handmaid Betty, perceiving me in motion, got her hip under the strong-box with my seven shirts, which she had rested against the rails during the delay, and screwed up her face into a most rueful caricature that might provoke a laugh at another time; while her young son Denny, grasping his waistband in one hand and a basket of sea provisions in the other, took the lead in the procession; and so we journeyed on to George's Quay, where the ship was just ready to sail. When I entered, I found my fellow-passengers seated round a large table in the cabin: we were fourteen in number. A young Highland lord had taken the head of the table and the conversation, and with a

modesty peculiar to himself, gave a history of his travels, and his intimate connections with the princes of the empire. An old debauched officer was complaining of the gout; while a woman who sat next to him, (good heaven, what a tongue!) gave a long detail of what her father suffered from that disorder. To do them all justice, they exerted themselves zealously for the common entertainment. As for my part, I had nothing to say; nor, if I had, was any one at leisure to listen to me; so I took possession of what the captain called a bed, wondering with Partridge 'how they could play so many different tunes at the same time without putting each other out.' I was expecting that the sea-sickness would soon give those restless mouths different employment, but in that I was disappointed. The sea was so calm that one only was sick during the passage; and it was not my good fortune that the lot should fall on that devil who never ceased chattering. There was no cure but patience. Accordingly I never stirred from my tabernacle, unless to visit my basket, till we arrived at Parkgate. Here, after the usual pillage at the custom-house, I laid my box down on the beach, seated myself upon it; and, casting my eyes over the Welsh mountains, I began to reflect on the impossibility of getting back without the precarious assistance of others. 'Poor Jack!' thought I, 'thou wert never before so far from home but thou mightest return on thine own legs. Here now must thou remain—for where here canst thou expect the assistance of a friend?' Whimsical as the idea was, it had power to affect me; until at length I was awakened from the reverie by a figure which approached me with the utmost affability. Methought his looks seemed to say, 'Why is thy spirit troubled?' He pressed me to go into his house, and to 'eat of his bread,' and 'to drink of his drink.' There was so much good-natured solicitude in the

invitation, 'twas irresistible: I rose, therefore, and followed him, ashamed of my uncharitable despondence. 'Surely,' thought I, 'there is still humanity left amongst us,' as I raised my eyes to the golden letters over his door, that offered entertainment and repose to the wearied traveller. Here I resolved to stay for the night, and agreed for a place in his coach next morning to Chester; but, finding my loquacious fellow-traveller had agreed for one in the same vehicle, I retracted my bargain, and agreed for my box only. I perceived, however, when I arose next morning, that my box was not sent, though the coach was gone. I was thinking how I could remedy this unlucky disappointment, when my friendly host told me that he could furnish me with a chaise! Confusion light upon him—what a stroke was this! It was not the few paltry shillings that vexed me, but to have my philanthropy till that moment running cheerily through my veins, and to have the current turned back suddenly by the detection of his knavery. Verily, Yorick! even thy gentle spirit, so meekly accustomed to bear and forbear, would have been roused on such an occasion. I paid hastily for my entertainment; and, shaking the dust from my feet at his gate, I marched with my box on my shoulder to a waggoner's at the other end of the town, where I entered it for London, and sallied forth towards Chester on foot. I was so nettled at being the dupe of my own credulity, that I was almost tempted to pass an excommunication on all mankind, and resolved never more to trust my own skill in physiognomy. Wrapt up in my speculations, I never perceived at what a rate I was striding away, till I found myself in the suburbs of Chester, quite out of breath, and completely covered with dust and dirt. From Chester I set out that evening in the stage. I slept about four hours next day at Coventry; and the following evening,

at five o'clock, was in view of near a hundred and twenty spires, that are scattered from one side of the horizon to the other, and seem almost in the mist that perpetually covers this prodigious capital. It would be impossible by description to give any idea of the various objects that fill a stranger, on his first arrival, with surprise and astonishment. The magnificence of the churches, hospitals, and other public buildings, which everywhere present themselves, would alone be ample subject of admiration to a spectator, though he were not distracted with the gaudy display of wealth and dissipation continually shifting before his eyes, in the most extravagant forms of pride and ostentation—or by a hurry of business that might make you think this the source from which life and motion are conveyed to the world beside. There are many places here not unworthy of particular inspection; but, as my illness prevented me from seeing them on my first arrival, I shall suspend my curiosity till some future time, as I am determined to apply to reading, this vacation, with the utmost diligence, in order to attend the courts next winter with more advantage. If I should happen to visit Ireland next summer, I shall spend a week before I go in seeing the curiosities here—the king, and queen, and lions; and if I continue in my present mood, you will see a strange alteration in your poor friend. That cursed fever brought me down so much, and my spirits are so reduced, that, faith! I don't remember to have laughed these six weeks. Indeed, I never thought solitude could have leaned so heavily on me as I find it does. I rise most commonly in the morning between five and six, and read as much as my eyes will permit till dinner-time; I then go out and dine; and from that till bed-time I mope about between my lodgings and the Park. For heaven's sake, send me some news or other—for surely Newmarket cannot be barren in such things

—that will teach me once more to laugh. I never received a single line from any one since I came here. Tell me if you know anything about Keller: I wrote twice to that gentleman without being favoured with any answer. You will give my best respects to Mrs Aldworth and her family, to Doctor Creaghs; and don't forget my good friends Peter and Will Connel.

"Yours sincerely, J. P. C."

"P.S.—I will cover this blank edge with entreating you to write closer than you commonly do, when you sit down to answer this; and don't make me pay tenpence for a halfpenny-worth of white paper."

LETTER II.

LONDON, 1774.

"Apjohn and I arrived in London about eight o'clock on Thursday. When I was set down, and threw myself into a box in the next coffee-house to me, I think I never felt so strangely in my life. The struggle it cost me to leave Ireland, and the pain of leaving it as I did, had been hurried into a sort of numbness by the exertion of such an effort, and a certain exclusion of thought which is often the consequence of a strong agitation of mind; the hurry also of the journey might have contributed to soothe for the moment these uneasy sensations. But the exertion was now over, the hurry was past, the barriers between me and reflection now gave way, and left me to be overwhelmed in the torrent. All the difficulties I had encountered, the happy moments I had so lately passed, all now rushed in upon my mind in melancholy succession, and engrossed the pang in their turn.

'Revolving in his alter'd soul
The various turns of chance below,
And now and then a sigh he stole,
And tears began to flow.' "

At length I roused myself from this mournful reverie; and after writing a few words to Newmarket, set out in search of some of my old acquaintance. I sought them sorrowing, but there was not even one to be found; they had either changed their abodes, or were in the country. How trivial a vexation can wound a mind that is once depressed! Even this little disappointment, though it was of no consequence, though it could not surprise me, yet had the power to afflict me, at least to add to my other mortifications. I could not help being grieved at considering how much more important changes may happen even in a shorter time; how the dearest hopes and most favourite projects of the heart may flourish, and flatter us with gaudy expectations for a moment, and then, suddenly disappearing, leave us to lament over our wretchedness and our credulity. Pleased with the novelty of the world, we fasten eagerly on the bauble, till, satiated with enjoyment, or disgusted with disappointment, we resign it with contempt. The world in general follows our example, and we are soon thrown aside, like baubles, in our turn; and yet, dreary as the prospect is, it is no small satisfaction to be attached to, and to be assured of the attachment of, some worthy affectionate souls, where we may find a friendly refuge from the rigours of our destiny; to have even one congenial bosom on which the poor afflicted spirit may repose, which will feelingly participate our joys or our sorrows, and, with equal readiness, catch pleasure from our successes, or strive to alleviate the anguish of disappointment.

"I this day left my lodgings. The people were so very unruly, that I could stay no longer. I am now in No. 4

in St Martin's Street, Leicester Fields, not far from my former residence. You will perhaps smile at the weakness, yet, I must confess it, never did I feel myself so spiritless, so wobegone, as when I was preparing for the removal. I had settled myself with an expectation of remaining till I should finally depart for Ireland; I was now leaving it before that period, and my spirits sank into a mixture of peevishness and despondence at the disappointment. I had emptied the desk belonging to the lodgings of my few moveables, which I collected in a heap on the floor, and prepared to dispose of in my little trunk. Good heavens! in how many various ways may the poor human heart be wounded! Is it that even Philosophy cannot so completely plunge her children in the waters of wisdom, that a heel at least will not be left vulnerable and exposed to the danger of an arrow? Is the fable equally applicable to the mind as to the body? And is all our firmness and intrepidity founded ultimately on our weakness and our foibles? May all our giant fortitude be so lulled into slumber, as, ere it awakes, to be chained to the ground by a few Lilliputian grievances, and held immoveably by such slender fetters? Why else shall we be unaccountably depressed? To leave the friends of my heart, to tear myself from their last affecting farewell, to turn my face to a distant region, separated from them by mountains and oceans and tempests—to endure all this with something like calmness, and yet to feel pain at changing from one street to another! Strange inconsistence! And yet so it was. I proceeded very slowly to fill the trunk. I could not please myself in the packing. Some letters now presented themselves; I could not put them in without reading. At length I made an end of the work, and fell into another reverie. I called to mind my first acquaintance with my little trunk; I industriously hunted my memory

for everything that any way related to it, and gave my recollection a great deal of credit for being so successful in making me miserable. At length I got it behind Tom Gess, and saw poor Tom edging forward to avoid its jolting, and longing to be relieved from its durance. I saw it embark: over how many billows was it wafted from Cork to Bristol, over how many miles from Bristol to London! And how small a portion of that distance must it measure back to-day! And must I be equally slow in my return? With such sentiments I left Mrs Turner's, perhaps as completely miserable as any man in London.

"As to my amusements, they are very few. Since I wrote last, I went to one play. I commonly spend even more time at home than I can employ in reading of an improving or amusing kind. As I live near the Park, I walk there some time every day. I sometimes find entertainment in visiting the diversity of eating places with which this town abounds. Here every coal-porter is a politician, and vends his maxims in public with all the importance of a man who thinks he is exerting himself for the public service; he claims the privilege of looking as wise as possible, and of talking as loud, of damning the Ministry and abusing the King, with less reserve than he would his own equal. Yet, little as these poor people understand of the liberty they contend so warmly for, or of the measures they rail against, it reconciles me to their absurdity, by considering that they are happy at so small an expense as being ridiculous; and they certainly receive more pleasure from the power of abusing than they would from the reformation of what they condemn. I take the more satisfaction in this kind of company, as, while it diverts me, it has the additional recommendation of reconciling economy with amusement.

"Another portion of time I have set apart every day

for thinking of my absent friends. Though this is a duty that does not give much trouble to many, I have been obliged to confine it, or endeavour to confine it, within proper bounds. I have, therefore, made a resolution to avoid any reflections of this sort, except in their allotted season, immediately after dinner. I am then in a tranquil happy humour, and I increase that happiness by presenting to my fancy those I love in the most advantageous point of view; so that, however severely I treat them when they intrude in the morning, I make them ample amends in the evening. I then assure myself that they are twice as agreeable, and as wise and as good as they really are.

"I have lately made two acquaintances; one a Frenchman, Dr Du Gavreau—the other is a German, Mr Skell, for whom I am indebted to the Doctor. With this latter I am not yet much acquainted; the former is really a man of understanding, and, I believe, of worth. He is the son of an advocate in Paris, and practised there himself as a physician for some time. He had conceived an affection for a lady with whom the difference of their religion prevented his union at home; but, alas, I believe love is of no particular sect—at least so the lady seemed to think, for she quitted France with him, and took his honour as the security for his adhering to a ceremony performed between them in Holland. After three or four years' residence in Amsterdam, where I suppose his practice was not considerable, he brought his wife and child to England last November. She survived the journey but a few weeks, and left the poor man surrounded by every distress. His friends have pressed him to return, but he is determined at all events to remain in England rather than carry his daughter to a country where she would not be considered as legitimate. Rouelle had hinted to me that there was something singular in his fortune; but I did not know the

particulars of it till a few days since, that I breakfasted with him. He had taken his little child on his knee, and, after trifling with her for a few moments, burst into tears. Such an emotion could not but excite as well as justify some share of curiosity. The poor Doctor looked as if he were conscious I felt for him, and his heart was too full to conceal his affliction. He kissed his little orphan, as he called her, and then endeavoured to acquaint me with the lamentable detail. It was the hardest story in the world to be told by a man of delicacy. He felt all the difficulties of it: he had many things to palliate, some that wanted to be justified; he seemed fully sensible of this, yet checked himself when he slided into anything like defence. I could perceive the conflict shifting the colours on his cheek, and I could not but pity him, and admire him for such an embarrassment. Yet, notwithstanding all his distress, he sometimes assumed all the gaiety of a Frenchman, and is a very entertaining fellow. These are the occasions on which we are almost justified in repining at the want of affluence, to relieve such a heart from part of its affliction; surely for such a purpose it is not ambitious to wish for riches."

After he had eaten through his terms at the Temple, he returned to Ireland, where he formed a matrimonial connection, which I wish most sincerely I could pass over in silence. Another publication has, however—no doubt very innocently—revived the calamity, which, out of delicacy to the living, I shall touch with as light a pen as possible. It was indeed to him a fountain of perpetual bitterness, overflowing the fairest prospects of his life, and mingling itself with the sweetest cup of his prosperity. He often repeated the circumstances—often sadly lamented to me the consequences of that union; but far be it from me to feed the

malignant appetite of a heartless curiosity with the melancholy detail which friendship must lament, and a generous enmity would mourn in silence. This was the unfortunate period of his life, upon which political antipathy and private envy gloated with a vile envenomed gratification. Facts were exaggerated—falsehoods were invented—and exposed malignity took refuge in the universality of the libel which it first framed and then circulated. But no matter what was the cause of this calamity, he was its victim; and a more equitable tribunal than that of this world has already weighed his infirmities against his virtues.

His course of study and manner of amusing himself in London, he thus describes:—"I have made some additions to my wardrobe, and purchased *a fiddle*, which I had till then denied myself. Do not think however, from my mentioning these *indulgences*, that I have diminished my hours of reading. All I have done by the change, is, employing the time that must otherwise be vacant, in amusement, instead of solitude. I still continue to read *ten hours every day*—seven at law, and three at history and the general principles of politics; and that I may have time enough, I rise at *half-past four*. I have contrived a machine after the manner of an hour-glass, which perhaps you may be curious to know, which wakens me regularly at that hour. Exactly over my head I have suspended two vessels of tin, one above the other. When I go to bed, which is always at ten, I pour a bottle of water into the upper vessel, in the bottom of which is a hole of such a size as to let the water pass through so as to make the inferior reservoir overflow in six hours and a half. I have had no small trouble in proportioning these vessels; and I was still more puzzled for a while, how to confine my head so as to receive the drop, but I have at length succeeded."

Those who knew Mr Curran in after life will be sur-

prised at the ten hours of daily study, and particularly at the portion allotted to law. Every credit is due to his assertion, for he was a person of the strictest veracity. I should imagine, however, that these laborious habits could not have lasted long. In general, and particularly in classical, literature, he was well versed; in French, a proficient, and minutely familiar with the Sacred writings. His knowledge of law, however, was deemed very superficial, and, beyond all doubt, not such as to warrant the supposition that the seven hours of daily study could have been of long duration. In music he was skilled, and the mention of "the fiddle" reminds me of trials to which I was often subject. It was when, at the Priory, he chose to exhibit on the violoncello! It was a very large instrument, and doubtless a very fine one, for his taste was fastidious: when, however, he got this machine between his feet, he gradually scraped himself into such a fit of enthusiasm as to render gravity painful, if not impossible. There he sat, beneath the shadow of the instrument, which high over-topped him, his under lip as usual protruded, his face glowing with self-satisfaction, his head moving to the music he was producing, and his frenzied eye now fixed on the auditor and now uplifted to the spheres, as if invoking them to pause and listen. No doubt the music was excellent, but the muscles of man could not resist the drollery of its accompaniments. It would seem from the following extract, that Curran's own countenance was sometimes as severely taxed by others as mine was often thus, unquestionably, by himself.

"I have got acquainted with a Miss Hume, who is also an original in her way. She is a relation of the celebrated David Hume, and, I suppose, on the strength of the kindred, sets up for a politician as well as a sceptic. She has heard his essays recommended, and shows her own discern-

ment by pronouncing them unanswerable; and talks of the famous Burke by the familiar appellation of Ned. Then she is so romantic, and so sentimental! Nothing for her but grots and purling streams, and piping shepherds; and, to crown all, it sings like a nightingale! *As I have not the best command of my muscles, I always propose putting out the candles* [alas! when *he* performed for me, it was in broad day-light] *before the song begins*, for the greater romanticality of the thing. It is an expedient I used to have recourse to in the College, when I had the honour of teaching Nixon to sing. 'Tis a miserable thing when a poor girl is so mistaken in her qualifications, as to display only her absurdities, and studiously to conceal everything she ought not to be ashamed of. Even this being wants not common sense, if she would but use it. But, what have you or I to do with the text or comment?"

The occupation which he classes under the head of amusements was not, perhaps, the least profitable part of his study. A thorough knowledge of mankind in all its varieties, and of the world, with its ever-shifting scenes of life and character, is one of the very best libraries which a *nisi prius* advocate can possess. "You will perhaps be at a loss to guess what kind of amusement I allow myself. Why, I'll tell you. I spend a couple of hours every night at a coffee-house, where I am not a little entertained with a group of old politicians, who meet in order to debate on the reports of the day, or to invent some for the next, with the other business of the nation. Though I don't know that sociality is the characteristic of this people, yet politics are a certain introduction to the closest intimacy of coffee-house acquaintance. I also visit a variety of ordinaries and eating-houses, and they are equally fertile in game for a character-hunter. I think I have found out the cellar where Roderick Random ate shin of beef for threepence,

and actually drank out of the identical quart which the drummer squeezed together when poor Strap spilt the broth on his legs."

His sketch of a visit to Hampton Court is very characteristic, and, though written, conveys some idea of his usual style of conversation. The Mr Apjohn whom he mentions in it as his companion, was a young college friend to whom he was much attached. Apjohn was a person of much promise, which unhappily was blighted by an early death.

"The servant who showed us the splendid apartments seemed to be a good deal pleased with his manner of explaining a suite of tapestry representing the Persian war of Alexander; though a simple fellow, he had his lesson well by rote, and ran over the battles of Issus, Arbela, &c., with a surprising flippancy. 'But, where is Alexander?' cries Apjohn. 'There, sir, at the door of Darius's tent, with the ladies at his feet.' 'Surely,' said I, 'that must be Hephestion, for he was mistaken by the queen for Alexander.' 'Pardon me, sir, *I hope I know Alexander better than that.*' 'But, which of the two do you really think the greater man?' 'Greater! bless your soul, sir, *they are both dead these hundred years.*' Oh, Harry, what a comment on human vanity! By my soul, there was the marrow of a thousand folios in the answer. I could not help thinking, at the instant, what a puzzle that mighty man would be in, should he appear before a committee from the temple of fame to claim those laurels which he thought so much of, and be opposed in his demand, though his competitors were Thersites or the fellow who rubbed Bucephalus's heels. How could his identity be ascertained? Chœrilus, stand forth; but should Mœrius contest the bays with Chœrilus, would a million of critics decide the difference? What, then, must be the sentence? Why, since the Conqueror cannot be

distinguished from the slave, let the chaplet be divided between them, *et curru servus portetur eodem.* Thus in a few years may my dear Harry be a Tillotson, and *his friend as much Cicero as Cicero himself.*"

It would appear that at this time he was fond of rambling about the vicinity of London, and relating to his friends the impression which both the people and the places made on him. The reflections suggested by a journey to Windsor are thus conveyed :—

9 Orange Street, Lincoln's-Inn-Fields.

"I can't say, however, that I was so taken with the faces of the swains; I believe most strongly that the English peasant must be very nearly as bad as the Hottentot, except that he is better fed and better covered. In every stupid face you meet, you may read more than even you conceived of an English boor. Haughty, ignorant, unsociable, credulous, unaccommodating—how different (abject as they are) from our poor countrymen! Their fondness for genealogy, so much despised here, and not without reason, gives them an advantage they could derive from no other source. When each poor individual is supposed to contain, in his own person, the accumulated honours of many generations, they are led to treat each other with a politeness and respect proportioned to their imaginary merit, and to cultivate a friendly intercourse, that contributes not a little to reclaim, and even to refine, the sentiments of the illiterate. And I have often thought, the manner of lamenting over the dead co-operates strongly to preserve and improve this untutored sort of politeness, by keeping alive something like a taste for conversation in a language that wants neither expression nor extent, and by preventing that language from a decay into which it must otherwise have fallen. And to these you

add the severe political grievances, and the still more cruel, miserable inducement to a strict association—the community of affliction and wretchedness—more than can be found either in France or Germany, and yet fostered in the bosom of a constitution boasted to be free.

"In the Castle of Windsor is an equestrian statue of Charles II., with a most extravagant inscription in his praise. I never before felt so powerful an impulse; and, had I been as strong as Sampson, it might have fared ill with the horse as well as the rider. In truth, besides the impudence of attempting to impose so gross a falsehood on the world, 'tis taking away one great inducement to virtue from people in public capacities, by giving every villain room to hope, that not only his vices shall be concealed, but that he may be handed down as a hero to posterity."

In the year 1775, with, as he said himself, no living possession but a pregnant wife, after much indecision respecting an emigration to America, he was called to the Bar of Ireland. To that enlightened body, as at that day constituted, the "future men" of this country may be allowed to turn with an excusable, and, in some sort, a national satisfaction. There were to be found, her nobles, her aristocracy, her genius, her learning, and her patriotism, all concentrated within that little circle. No insolent pretension in the high, frowned down the intellectual splendour of the humble: education compensated the want of birth; industry supplied the inferiority of fortune; and the *law*, which in its suitors knew no distinction but that of justice, in its professors acknowledged none except that of merit. In other countries, where this glorious profession is degraded into a trade—where cunning supplies the place of intellect, and a handicraft mechanism is the substitute for mind—where,

in Curran's peculiar phrase, "men begin to measure their depth by their darkness, and to fancy themselves profound because they feel they are perplexed"—no idea can be formed of that illustrious body; of the learning that informed, the genius that inspired, and the fire that warmed it; of the wit that relieved its wisdom, and the wisdom that dignified its wit; of the generous emulation, that cherished while it contended; of the spotless honour, that shone no less in the hereditary spirit of the highly born than in the native integrity of the more humble aspirant; but, above all, of that lofty and unbending patriotism that at once won the confidence and enforced the imitation of the country. It is not to be questioned that to the bar of that day the people of Ireland looked up, in every emergency, with the most perfect reliance upon their talent and their integrity. It was then the nursery of the parliament and the peerage. There was scarcely a noble family in the land that did not enrol its elect in that body, by the study of law and the exercise of eloquence, to prepare them for the field of legislative exertion; and there, not unfrequently, there arose a genius from the very lowest of the people, who won his way to the distinctions of the senate, and wrested from pedigree the highest honours and offices of the constitution. It was a glorious spectacle to behold the hope of the peerage entering such an intellectual arena with the peasant's offspring—all difference merged in that of mind, and merit alone deciding the superiority. On such contests, and they were continual, the eye of every rank in the community was turned: the highest did not feel their birth debased by the victories of intellect; and the humblest expected, seldom in vain, to be ennobled in their turn. Many a personage sported the ermine on a back that had been coatless; and the garter might have glittered on a leg that, in its native bog, had been unen-

cumbered by a stocking. Amongst those who were most distinguished when Mr Curran came to the bar, and with whom afterwards, as Chief-Justice, he not unfrequently came in collision, was Mr John Scott, afterwards better known by the title of Lord Clonmel. This person sprang from a very humble rank of life, and raised himself to his subsequent elevation, partly by his talents, partly by his courage, and, though last, not least, by his very superior knowledge of the world. During the stormy administration of Lord Townsend, he, on the recommendation of Lord Lifford, the then chancellor, was elected to a seat in the House of Commons, and from that period advanced gradually through the subordinate offices to his station on the bench. In the year 1770, and during the succeeding sessions, he had to encounter, almost alone, an opposition headed by Mr Flood, and composed of as much effective hostility as ever faced a treasury bench. His powers were rather versatile than argumentative; but when he failed to convince, he generally succeeded in diverting; and if he did not, by the gravity of his reasoning, dignify the majority to which he sedulously attached himself, he at all events covered their retreat with an exhaustless quiver of alternate sarcasm and ridicule. Added to this, he had a perseverance not to be fatigued, and a personal intrepidity altogether invincible. When he could not overcome, he swaggered; and when he could not bully, he fought. "All the light artillery," says Hardy, "and total war of jests, bon-mots, pointed sarcasms, popular stories and popular allusions, were entirely his own." Successful as Lord Clonmel was in his political career, he by no means looked back on it with satisfaction. It is recorded of him that he said, on his deathbed, "As to myself, if I were to begin life again, I would rather be a chimney-sweeper than connected with the Irish government." The asperities of his public

conduct were, however, invisible in private. He was stored with anecdote—seldom, certainly, very delicate in the selection; but his companionable qualities were well seconded by the fidelity of his friendships; and it is true of him that he never made an insincere profession or forgot a favour. "He had," says one who knew him well, "many social virtues, and, in convivial hours, much unaffected wit and pleasantry, with a cordial civility of manners. To his great honour be it recorded that he never forgot an obligation; and as his sagacity and knowledge of mankind must have been pre-eminent, so his gratitude to persons who had assisted him in the mediocrity of his fortune was unquestionable, and marked by real generosity and munificence." On the bench, indeed, and in some instances with Mr Curran, he was occasionally very overbearing; but a bar such as I have described was not easily to be overborne; and, for some asperity to a barrister of the name of Hackett, he was, after a professional meeting of the body—at which, though Chief-Justice, he had but one supporter—obliged to confess and apologise for his misconduct in the public papers! The death of Lord Clonmel is said to have originated in a very curious incident. In the year 1792, Mr John Magee, the spirited proprietor of the *Dublin Evening Post*, had a fiat issued against him in a case of libel, for a sum which the defendant thought excessive. The bench and the press were directly committed; and in such a case, had a judge tenfold the power he has, he would be comparatively harmless. The subject made a noise—was brought before parliament—and was at last, at least politically, set at rest by the defeat of the Chief-Justice, and the restriction of the judges in future, in such cases, to an inferior and a definite sum. Discomfited and mortified, Lord Clonmel retreated from the contest; but he retreated like a harpooned leviathan—the

barb was in his back, and Magee held the cordage. He made the life of his enemy a burden to him. He exposed his errors, denied his merits, magnified his mistakes, ridiculed his pretensions, and, continually edging without overstepping the boundary of libel, poured upon the Chief-Justice, from the battery of the press, a perpetual broadside of sarcasm and invective. "The man," says Doctor Johnson, challenging Junius—"the man who vilifies established authority is sure to find an audience." Lord Clonmel too fatally verified the apothegm. Wherever he went, he was lampooned by a ballad-singer or laughed at by the populace. Nor was Magee's arsenal composed exclusively of paper ammunition. He rented a field bordering his Lordship's highly improved and decorated demesne: he advertised, month after month, that on such a day he would exhibit in this field a *grand Olympic* PIG *hunt*, that the people, out of gratitude for their patronage of his newspaper, should be gratuitous spectators of this revived *classical* amusement; and that he was determined to make so amazing a provision of whisky and porter, that if any man went home thirsty it should be his own fault. The plan completely succeeded: hundreds and thousands assembled; every man did justice to his entertainer's hospitality, and his Lordship's magnificent demesne, uprooted and desolate, next day exhibited nothing but *the ruins of the Olympic pig-hunt*. The Rebellion approached—the popular exasperation was at its height—and the end of it was, that Magee went mad with his victory, and Lord Clonmell died, literally broken-hearted with his defeat and his apprehensions.

The Chief-Justice, towards the close of his life, was delicate in health, and frequent reports of his death were circulated. On one of these occasions, when he was really very ill, a friend said to Curran, "Well, they say Clonmel

is going to die at last. Do you believe it?" "I believe," said Curran, "he is scoundrel enough to live or die, just as it *suits his own convenience.*"

The sketch of this remarkable man cannot be more appropriately terminated than by the following scene, the accuracy of which is vouched by Mr Rowan, at whose trial he had presided as Chief-Justice. The colloquy is said to be an average specimen of Clonmel's manner, and conveys a strange character of the times in which such conduct could have been hazarded by a judge. This memorable trial (of which more anon) was stormy and exciting, and not the less hateful to Clonmel, because occasioning one of Curran's most magnificent orations, perhaps his very best. Seeing a report of the trial advertised, the Chief-Justice instantly summoned the publisher to his private residence, on whose appearance Clonmel commenced:—

"Your servant, Mr Byrne. I perceive you have advertised Mr Rowan's trial."

BYRNE.—"The advertisement, my Lord, is Mr Rowan's; he has selected me as his publisher, which I think an honour, and I hope it will be profitable."

LORD C.—Take care, sir, what you do: I give you this caution; for if there are any reflections on the judges of the land, by the eternal G—!! I will lay you *by the heels.*"

BYRNE.—"I have *many thanks* to return to your Lordship for the *caution.* I have many opportunities of going to Newgate, but I have never been ambitious of that honour, and I hope in this case to stand in the same way. Your Lordship knows I have but one principle in trade, which is to make money of it; and that, if there were two publications giving different features to the trial, I would publish both. There is a trial published by Mr M'Kenzie."

LORD C.—"I did not know that; but, say what you

may on the subject, if you print or publish what may inflame the mob, it behoves the judges of the land to notice it; and I tell you, by the Eternal, if you publish and misstate my expressions, I will lay you *by the heels.* One of Mr Rowan's advocates set out with an inflammatory speech, misstating what I said, and stating what I did not say. I immediately denied it, and appealed to the court and *the gentlemen in it,* and they all contradicted him, as well as myself. Those speeches were made for the mob, to mislead and inflame them, which I feel it my duty to curb. If the publication is intended to abuse me, I don't value it; I have been so long in the habit of receiving abuse, that it will avail little. But *I caution you how you publish it;* for if I find anything reflecting on, or misstating me, *I will take care of you!"*

BYRNE.—"I should hope Mr Rowan has too much honour to have anything misstated or inserted in his trial that would involve his publisher."

LORD C.—"What! is Mr Rowan preparing his own trial?"

BYRNE.—"He is, my Lord."

LORD C.—"Oho, oho! that is a different thing. That gentleman would not have been better used by me, standing in the situation that he did, had he been one of the princes of the blood."

BYRNE.—"My Lord, Mr Rowan being his own printer, I stand only as his publisher; you know he will publish his own trial."

LORD C.—"Even as his publisher, *I will take care of you,* and I have no objection to this being known."

BYRNE.—"I return your Lordship MANY THANKS!!"

Another, but a very different character, at that time in high eminence at the Irish bar, was the justly celebrated Walter Hussey Burgh, a man reverenced by his pro-

fession, idolised by his friends, loved by the people, honoured by the crown, and highly respected even by those who differed from him. The history of no country, perhaps, hands down a character on its records upon which there exists less difference of opinion than on that of Hussey Burgh: as a man, benevolent, friendly, sincere, and honest; as a barrister, learned, eloquent, ardent, and disinterested; as a senator, in power respected by the Opposition, and out of it by the Ministry; he was always allowed principle, and heard with delight. His life was one continued glow of intellectual splendour; and when he sank, the bar, the senate, and the country felt a temporary eclipse. Of his eloquence the reporters of that day were too ignorant faithfully to transmit any fair memorial to posterity; and the memory of his few remaining contemporaries rather retains the general admiration of its effect, than any particular specimen of his language. "The graces," says Hardy, in his *Life of Lord Charlemont*, "embellished all that he said; but the graces are fugitive, or perishable. Of his admired speeches but few, if any, records are now to be found; and of his harmonious flowing eloquence it may be said, as Tacitus did of an eminent speaker in his time—'*Haterii canorum illud, et profluens, cum ipso extinctum est.*'" I have heard but of one sentence which has escaped unmutilated. Speaking of the oppressive laws which had coerced Ireland, and ended in the universal resistance of the people and the establishment of the Volunteers, he warmed by degrees into the following fine classical allusion,—"Talk not to me of peace," said he; "Ireland is not in a state of peace; it is *smothered* war. England has sown her laws like dragons' teeth, and they have sprung up armed men." The fire of his manner, the silver tone of his voice, the inimitable graces of his action, all combined,

gave such irresistible effect to this simple sentence so delivered, and addressed to an audience so prepared, that a universal burst of enthusiasm is said to have issued from the house, and to have been echoed by the galleries.

It is, indeed, deplorable to think that almost every vestige of such a man should be lost. He lives but in the eager panegyric of his contemporaries, but they are panegyrics of men trustworthy and competent. "The member for Dublin College," says one of them, "was mild, moderate, and patient. He was proud without arrogance, and dignified without effort. Equally attentive to public concerns and careless of his own, he had neither avarice to acquire wealth, nor parsimony to hoard it. Liberal even to profusion, friendly to a fault, and disinterested to a weakness:—he was honest without affluence, and ambitious without corruption. His eloquence was of the highest order—figurative, splendid, and convincing. At the bar, in parliament, and among the people, he was equally admired and universally respected." Burgh never for a moment suffered his own personal interests to supersede his duty to the country. On two several occasions, where they clashed, he never hesitated. In 1789, when an eminent law-officer, (I think Prime-Serjeant,) I find him moving an amendment to the Address in such terms as these—"I never will support any government in fraudulently concealing from the king the rights of his people. The high office which I possess can hold no competition with my principles and my conscience, and I shall consider the relinquishment of my gown as only a just sacrifice upon the altar of my country. Strong statement, rather than pathetic supplication, is adapted to the crisis; and the amendment which I propose is, that it is not by *expedients* that this country is to be saved from impending ruin." Nor were these mere words; Burgh well knew at

what cost he did his duty. When the true patriot resumed his seat, he said to the friend next to him, "I have now sealed the door against my own preferment, and I have made the fortune of that man," pointing to his probable successor. This is rare disinterestedness, and the more admirable, because he could very ill afford the sacrifice he volunteered. But it is delightful to reflect that a nation's gratitude responded to his virtue, and redeemed his children from its inevitable consequences. On his death, Mr Grattan, overpowered by his emotions, thus addressed the House of Commons—"I am unable," said he, "to do justice to my feelings on the subject on which I address you. The death of the late Chief-Baron Burgh has inflicted too deep a wound on the community at large, and on this house in particular, to need any colouring from me. He died, I grieve to say, in circumstances very inadequate to his station. Four daughters and one son are left unprovided for; and his many virtues, and his public services, demand that his children shall become the children of the country." He then moved an Address, containing "the earnest entreaty of the House that his Majesty would cause provision to be made for the family of the late Chief-Baron, as a reward for his integrity and ability in the seat of justice, and the services he had rendered to the nation." Mr Yelverton (his successor on the bench) followed. "I know not," said he, "in what character of his life, whether public or private, he most commanded our admiration—whether as the humane advocate of the unfortunate, as the tender husband and father, or on the bench impartially administering justice, ever tempered with clemency." He could proceed no farther. His full heart choked his utterance, and he sank into his seat amid the sympathy of the crowded house, who instantly voted the Address with acclamations. This

affecting scene made so deep an impression upon Grattan that, in after years, he thus pathetically and beautifully alludes to it,—"I moved for his pension. I did it from a natural and instinctive feeling.... I came to this House from his hearse. What concern first suggested, reason afterwards confirmed. Do I lament that pension? Yes, because in it I lament the mortality of noble emulation, of delightful various endowments; and, above all, because I feel the absence of him who, if now here, would have inspired this debate, would have asserted your privileges, exposed the false pretences of prerogative, and added an angelic voice to the councils of the nation." Flood, Grattan's great rival, did not withhold his tribute. "Hussey Burgh," he says, "was a man dead to everything but his own honour, and the grateful memory of his country; a man over whose life or grave envy never hovered; a man ardently wishing to serve his country himself, but not wishing to monopolise the service—wishing to participate and communicate the glory. My noble friend—I beg pardon, he did not live to be ennobled by patent—he was ennobled by nature." This necessarily mere outline of a much-venerated man cannot be more fitly concluded than by the following fragment, which has been preserved; it is the peroration to his speech on the motion to place four thousand Irish soldiers at the disposal of Government, during the American war: "Having no enemies to encounter, no partisans to serve—without passions, without prejudices, without fear, I have delivered my sentiments on the present question—one of the greatest importance. I will not vote a single man against America, without an accompanying address recommending conciliatory measures. I foresee the conclusion of this war. If Ministers are victorious, it will only be establishing a right to the harvest after they have burned the grain—it will be estab-

lishing a right to the stream after they have cut off the fountain. Such is my opposition—a method ill calculated to secure emolument or to gain popularity. My conduct will not please either party. But I despise profit—I despise popularity, if one is to be gained only by base servility, and the other purchased by blind zeal. Farewell profit, farewell popularity, if, in acquiring you, fair fame is to be the victim." These were not mere words; he resigned office once, and spurned it a second time, rather than support Government against his conviction. Yet to no man was office more necessary, as he lived in a style surpassing even Irish extravagance. His country lost him in 1783, at the age of forty.

Another barrister who had immediately preceded the period of Mr Curran was the Right Hon. John Hely Hutchinson, the founder of a very distinguished family. From every account, he must have been a most extraordinary personage. After having amassed a large fortune at the bar, and held a distinguished seat in the senate, he accepted the provostship of Trinity College, and was, I believe, the first person promoted to that rank who had not previously obtained a fellowship. His appointment gave great offence to the University; but he little heeded the resentment which was the consequence of any pecuniary promotion; and, indeed, such was his notoriety in this respect, that Lord Townsend, wearied out with his applications, is reported to have exclaimed, "By G—! if I gave Hutchinson England and Ireland for an estate, he would solicit the Isle of Man for a *potato garden!*" The whole College combined against him, but it was only to prove the imbecility of mere bookworms when opposed to a man of the world, "The Provost," said Goldsmith, "stands like *an arch*—every additional pressure only shows his strength." He justified the observation—with-

stood all his enemies—and is said, when he was at the head of the University, actually to have had one of his daughters gazetted for a majority of horse, which commission she held for several days, until an opportunity offered for her *selling out to advantage!* Mr Fox calls him "one of Ireland's eminent jobbers, who, after having obtained the Prime Serjeantcy, the Secretaryship of State, and twenty other great places, insists on a major's half-pay from the Lord-Lieutenant." It will readily be believed that the man who could thus captivate the Court, and command the University, must have been no very ordinary personage. Yet he owed his power much more to his genius than to his servility. With no common influence at the Castle, he is well known to have differed with Ministers upon the most important questions—among the rest, the Catholic—and to have reseated himself upon the Treasury bench with an influence rendered more respectable by the proofs of his independence. It is very true that he provided amply for his family; and I am glad he did so, because on many occasions they have proved themselves ornaments to their country. If it was a weakness, it was at all events an amiable one; and few there were in political life who have had the good fortune to find in the merits of its objects such a justification for their partiality. The Provost seemed to have been born a courtier. He had the power beyond almost all men of disguising his emotions; and, when he chose, you might just as easily have extorted from a mask as from his countenance what was passing within him. Of this faculty there is a memorable instance given in his treatment of Dr Magee, Bishop of Raphoe, afterwards Archbishop of Dublin, and author of the celebrated work on the Atonement. Hutchinson was provost, and had proposed his son for the representation of the University. Magee was a fellow, and had a

vote. The fellows after a certain time must be ordained, unless they obtain a dispensation from the provost; and such dispensation was the wish next Magee's heart, as his rare talents must have raised him to the very highest station at the bar. He was given to understand it would be granted, provided he voted for the Provost's son. This, however, a previous promise (which, of course, he was too honourable to violate) withheld him from doing. The Provost had just heard of the refusal, and was in a paroxysm of rage when Magee came to solicit the dispensation: his face was instantly all sunshine; with the most ineffable sweetness he took the offending applicant by the hand. "My dear sir, consider," said he, "*I am placed guardian over the youth of Ireland.* How could I answer it to *my conscience* or my country if I deprived the University of *such a tutor!*" "Never," said Magee, repeating the anecdote—"never did politician *look* deceit so admirably." The three barristers whom I have thus indiscriminately selected were lost in a crowd of others equally eminent at the Irish bar, at this interesting epoch in Mr Curran's life. Of the immediate contemporaries who commenced the race of competition along with him, we shall find many eminently distinguished both in the legal and parliamentary history of the country.

Called, as we have thus seen him, to the bar, he was without friends, without connexions, without fortune, conscious of talents far above the mob by which he was elbowed, and cursed with sensibility which rendered him painfully alive to the mortifications he was fated to experience. Those who have risen to professional eminence, and recollect the impediments of such a commencement—the neglect abroad—the poverty perhaps at home—the frowns of rivalry—the fears of friendship—the sneer at the first essay—the prophecy that it will be the last—discourage-

ments as to the present—forebodings as to the future—some who are established endeavouring to crush the chance of competition, and some who have failed, anxious for the wretched consolation of companionship—those who recollect the comforts of such an apprenticeship may duly appreciate poor Curran's situation. After toiling for a very inadequate recompense at the sessions of Cork, and wearing, as he said himself, his teeth almost to their stumps, he proceeded to the metropolis, taking for his wife and young children a miserable lodging upon *Hay Hill.* Term after term, without either profit or professional reputation, he paced the hall of the Four Courts. Yet even thus he was not altogether undistinguished. If his pocket was not heavy, his heart was light; he was young and ardent, buoyed up not less by the consciousness of what he felt within, than by the encouraging comparison with those who were successful around him; and he took his station among the crowd of idlers, whom he amused with his wit, or amazed by his eloquence. Many even, who had emerged from that crowd, did not disdain occasionally to glean from his conversation the rich and varied treasures which he squandered with the most unsparing prodigality; and some there were who observed the brightness of the infant luminary struggling through the obscurity that clouded its commencement. Amongst those who had the discrimination to appreciate, and the heart to feel for him, luckily for Curran, was Mr Arthur Wolfe, afterwards the unfortunate but respected Lord Kilwarden. The first fee of any consequence which he received was through his recommendation; and his recital of the incident cannot be without its interest to the young professional aspirant whom a temporary neglect may have sunk into dejection. "I then lived," said he, "upon Hay Hill; my wife and children were the chief furniture of my apartments; and

as to my rent, it stood pretty much the same chance of liquidation with the national debt. Mrs Curran, however, was a barrister's lady, and what she wanted in wealth she was well determined should be supplied by dignity. The landlady, on the other hand, had no idea of any gradation except that of pounds, shillings, and pence. I walked out one morning to avoid the perpetual altercations on the subject, with my mind, you may imagine, in no very enviable temperament. I fell into the gloom to which, from my infancy, I had been occasionally subject. I had a family for whom I had no dinner; and a landlady for whom I had no rent. I had gone abroad in despondence—I returned home almost in desperation. When I opened the door of my study, where *Lavater* alone could have found a library, the first object which presented itself was an immense folio of a brief, twenty golden guineas wrapped up beside it, and the name of *Old Bob Lyons* marked upon the back of it. I paid my landlady—bought a good dinner—gave Bob Lyons a share of it—and that dinner was the date of my prosperity." Such was his own exact account of his professional advancement: and perhaps the reader may feel some interest attached to the person of the man who thus held out to Curran the hand of encouragement, when he was trembling upon the pivot of his destiny. A personal acquaintance has given me, in some degree, the means of gratifying his curiosity. Bob Lyons, the attorney, was a perfect but indeed a very favourable specimen of a class of men now quite extinct in Ireland, and never perhaps known in any other country in creation. They were a kind of compound of the rack-rent squire and the sharp law practitioner—careless and craving—extravagant and usurious—honourable and subtle—just as their education or their nature happened to predominate at the moment. They had too much ignorant conceit not

to despise the profession, and too many artificial wants not at times to have recourse to its *arcana*. The solicitor of the morning was the host of the evening; the *invitation* perhaps came on the back of the *capias*, and the gentleman of *undoubted Milesian origin* capped the climax of his innumerable bumpers with toasting confusion to the gentleman by *act of parliament*. This race of men, a genus in themselves distinct and peculiar, grew like an excrescence upon the system of the country: the Irish squire of half a century ago *scorned* not to be in debt; it would be beneath his dignity to live within his income; and next to not incurring a debt, the greatest degradation would have been voluntarily to *pay one*. The consequence necessarily of creditors was law, and the indispensable consequence of law was an attorney; but those whom law estranged the table reunited—the squire became reconciled to the attorney over a bottle—to avoid his process he made him his agent, and the estate soon passed from their alternate possession by the same course of ruinous prodigality.

Such was the community of which old Bob Lyons was a most distinguished member; but of which, as I have said before, he was a most favourable specimen. Plausible in his manners and hospitable in his habits, those who feared him for his undoubted skill as a practitioner, esteemed him for his convivial qualities as a companion. Nor had even his industry the ill favour of selfishness. If he gained all he could, still he spent all he gained; and those who marvelled at the poverty of his neighbourhood, could easily have counted his personal acquisitions. No matter who might be the poorer for him, he was the richer for no man; in short, it seemed to be the office of his left hand lavishly to expend what his right hand assiduously accumulated. When I became first acquainted with him, he

had reaped the harvest of two-thirds of a century, and alternately sued and entertained two-thirds of the province of Connaught, in which he resided. He had all the pleasantry of youth in his address; and art struggled hard to set off the lingering graces of his exterior. His clothes were always adjusted to a nicety; a perennial Brutus rendered either baldness or grayness invisible; and the jet black liquid that made his boot a mirror, *renovated the almost traceless semicircle of his eyebrow!* Such to an iota was old Bob Lyons; and to him Curran has often told me he owed, not merely much of the prosperity, but many of the pleasantest hours of his existence. The case in which he employed him first was the Sligo election petition cause, between Ormsby and Wynne—a species of litigation from which, thanks to the Union, no young Irish barrister will ever date his prosperity in future. In this cause Mr Curran eminently distinguished himself; and so grateful was Lyons for his exertions, that he gave him professional business afterwards in succession to the full amount of eleven hundred pounds. This of course quite established him in the world; the landlady upon Hay Hill began to view him in altogether a different aspect; and a house of his own, furnished at all points, rewarded his friend Lyons with no churlish hospitality. Lyons' country residence was situated on the sea-shore, about ten miles to the north-west of Sligo. Mount Raven, located in the midst of an extensive rabbit-warren, opened its doors to you after you had ascended to them by about thirty stone steps. The English reader can have no idea whatever of such a residence in such a country. Scenery rude, varied, and romantic—rock upon rock tossed together in the most fantastic groupings—and mountains of every height and every shape, frowning over the vast expanse of the Atlantic ocean—give rather shelter than habitation to a people

who have proclaimed eternal warfare with civilisation. Half a century has since passed over them without introducing an innovation upon their ancient customs; and the feats of their forefathers, too outrageous for perpetration, and the articles of their superstition, too monstrous for credulity, have now rooted themselves into a kind of prescriptive reverence. The seals that infest their coasts in great numbers, they believed to be animated by the souls of their antiquated maiden relatives—a supposition certainly far more creditable to the chastity of the one sex than the gallantry of the other; the rocks, that with their echoes "syllable men's names," are the established residence of some rustic wizard; and the *fairies*, numerous enough at the dawn of the morning, never failed to double the number towards the conclusion of the frequent holiday. Such was the scene in Curran's early life of many a long vacation. Here the voice, upon whose accents the senate and the people hung, was loud in the revelry of the village wake; and the mind stored with every classic treasure, and inspired with every sublime perception, rivalled the peasant's mirth, and wore familiarly the peasant's merriment. Nor was this idle jocularity without its value. Often afterwards in his professional circuit, the hearer, who stood entranced at an eloquence that seemed to flow from the very fount of inspiration, would see him suddenly, with some village witness, assume the vulgar air, and attitude, and accent, until his familiarity wheedled the confession which his ingenuity never could have extorted. Various were the anecdotes with which Mr Curran used to exemplify the annals of Mullaghmore and the history of Bob Lyons. But many of them owed half their value to their local interest, and many of them were of a nature more suited to the table than the press. To me, who from my infancy had been familiar with all the localities

of the scene, he delighted to repeat them; and as he sported in the retrospect of days so long gone by, the very spirit of the poet's veteran revived within him: he lived over again the pleasures he was describing.

In one of these excursions, a very singular circumstance had almost rendered this the termination of his biography. He was on a temporary visit to the neighbouring town of Sligo, and was one morning standing at his bedroom window, which overlooked the street, occupied, as he told me, in arranging his portmanteau, when he was stunned by the report of a blunderbuss in the very chamber with him; and the panes above his head were all shivered into atoms. He looked suddenly around in the greatest consternation. The room was full of smoke, the blunderbuss on the floor just discharged, the door closed, and no human being but himself discoverable in the apartment! If this had happened in his rural retreat, it could readily have been reconciled through the medium of some offended spirit of the village mythology; but, as it was, he was in a populous town, in a civilised family, amongst Christian doctrines, where the fairies had no power, and their gambols no currency; and, to crown all, a poor cobbler, into whose stall on the opposite side of the street the slugs had penetrated, hinted in no very equivocal terms that the whole affair was a conspiracy against his life. It was by no means a pleasant addition to the chances of assassination, to be loudly declaimed against by a crazed mechanic as an assassin himself. Day after day passed away without any solution of the mystery; when one evening, as the servants of the family were conversing round the fire on so miraculous an escape, a little urchin, not ten years old, was heard so to wonder how *such an aim* was missed, that a universal suspicion was immediately excited. He was alternately flogged and coaxed into a confession, which disclosed as

much precocious and malignant premeditation as perhaps ever marked the annals of juvenile depravity. This little miscreant had received a box on the ear from Mr Curran for some alleged misconduct a few days before; the Moor's blow did not sink into a mind more furious for revenge, or more predisposed by nature for such deadly impressions. He was in the bedroom by mere chance, when Mr Curran entered; he immediately hid himself in the curtains, till he observed him too busy with his portmanteau for observation; he then levelled at him the old blunderbuss which lay charged in the corner; the stiffness of whose trigger, too strong for his infant fingers, alone prevented the aim which he confessed he had taken, and which had so nearly terminated the occupations of the cobbler. The door was ajar, and mid the smoke and terror he easily slipped out without discovery. I had the story verbatim a few months ago from Mr Curran's lips, whose impressions on the subject it was no wonder that forty years had not obliterated.

From this period he began rapidly to rise in professional estimation. There was no cause in the metropolis of any interest in which he was not concerned, nor was there a county in the provinces which at some time or other he did not visit on a special retainer. It was an object almost with every one to pre-occupy so successful or so dangerous an advocate; for, if he failed in inducing a jury to sympathise with his client, he at all events left a picture of his adversary behind him, which survived and embittered the advantages of victory. Nor was his eloquence his only weapon; at cross-examination, the most difficult and by far the most hazardous part of a barrister's profession, he was quite inimitable. There was no plan which he did not detect, no web which he did not disentangle; and the unfortunate wretch, who commenced with all the confidence

of preconcerted perjury, never failed to retreat before him in all the confusion of exposure. Indeed it was almost impossible for the guilty to offer a successful resistance. He argued, he cajoled, he ridiculed, he mimicked, he played off the various artillery of his talent upon the witness; he would affect earnestness upon trifles, and levity upon subjects of the most serious import, until at length he succeeded in creating a security that was fatal, or a sullenness that produced all the consequences of prevarication. No matter how unfair the topic, he never failed to avail himself of it; acting upon the principle that, in law as well as in war, every stratagem was admissible. If he was hard pressed, there was no peculiarity of person, no singularity of name, no eccentricity of profession at which he would not grasp, trying to confound the self-possession of the witness by the, no matter how excited, ridicule of the audience. To a witness of the name of *Halfpenny* he once began, "Halfpenny, I see you're a *rap*, and for that reason you shall be nailed to the counter." "Halfpenny is *sterling*," exclaimed the opposite counsel. "No, no," said he, "he's exactly like his own conscience—only *copper washed*." This phrase alluded to an expression previously used on the trial.

To *Lundy Foot*, the celebrated tobacconist, once hesitating on the table—"Lundy, Lundy—that's a poser—*a devil of a pinch*." This gentleman applied to Curran for a motto when he first established his carriage. "Give me one, my dear Curran," said he, "of a serious cast, because I am afraid the people will laugh at a tobacconist setting up a carriage, and, *for the scholarship's sake*, let it be in Latin." "I have just hit on it," said Curran; "it is only two words, and it will at once explain your profession, your elevation, and your contempt for their ridicule, and it has the advantage of being in

two languages, Latin or English, just as the reader chooses. Put up '*Quid rides*' upon your carriage."

Inquiring his master's age from a horse-jockey's servant, he found it almost impossible to extract an answer. "Come, come, friend—has he not lost his teeth?"—"Do you think," retorted the fellow, "that I know his age as he does his horse's by *the mark of mouth?*" The laugh was against Curran, but he instantly recovered—"You were very right not to try, friend; for you know your master's a *great bite.*"

Having one day a violent argument with a country schoolmaster on some classical subject, the pedagogue, who had the worst of it, said in a towering passion, that he would lose no more time, and must go back to his scholars—"Do, my dear Doctor," said Curran, "but *don't indorse my sins upon their backs.*"

Curran was told that a very stingy and slovenly barrister had started for the Continent, with a shirt and a guinea—"He'll not change either till he comes back," said he.

It was well known that Curran entertained a dislike and a contempt for Downes. "Bushe," said he, "came up to me one day with a very knowing look, and said, 'Do you know, Curran, I have just left the pleasantest fellow I ever met.' 'Indeed—who is he?' 'The Chief Justice,' was the answer. My reply was compendious and witty. I looked into his eye, and said '*hum.*' It required all his oil to keep his countenance smooth."

A very stupid foreman once asked a judge how they were to ignore a bill? "Why, sir," said Curran, "when you mean to find a *true* one, just write *Ignoramus* for self and fellows on the back of it."

A gentleman just called to the bar took up a pauper case. It was remarked upon. "The man's right," said

Curran; "a barber begins on a beggar, that when he arrives at the dignity he may know how to shave a duchess."

He was just rising to cross-examine a witness before a judge who could not comprehend any jest that was not written in *black letter*. Before he said a single word, the witness began to laugh. "What are you laughing at, friend—what are you laughing at? Let me tell you that a laugh without a joke is like—is like——" "Like what, Mr Curran?" asked the judge, imagining he was nonplussed—"Just exactly, my lord, like a *contingent remainder* without any particular *estate* to support it." I am afraid none but my legal readers will understand the admirable felicity of the similitude, but it was quite to his lordship's fancy, and rivalled with him all "the wit that Rabelais ever scattered."

Examining a country squire who disputed a collier's bill —"Did he not give you the *coals*, friend?" "He did, sir, but——" "But what?—on your oath wasn't your payment *slack?*"

It was thus that in some way or other he contrived to throw the witnesses off their centre, and he took care they seldom should recover it. "My lard, my lard!" vociferated a peasant witness, writhing under this mental excruciation —"My lard, my lard! I can't answer yon little gentleman, *he's putting me in such a doldrum.*" "A doldrum! Mr Curran, what does he mean by a doldrum!" exclaimed Lord Avonmore. "O! my lord, it's a very common complaint with persons of this description: it's merely a *confusion of the head arising from a corruption of the heart.*"

To the bench he was at times quite as unceremonious; and if he thought himself reflected on or interfered with, had instant recourse either to ridicule or invective. There is a celebrated reply in circulation of Mr Dunning to a

remark of Lord Mansfield, who curtly exclaimed at one of his legal positions, "O! if that be law, Mr Dunning, I may *burn* my law books!" "Better *read* them, my lord," was the sarcastic and appropriate rejoinder. In a different spirit, but with similar effect, was Mr Curran's retort upon an Irish judge, quite as remarkable for his good humour and raillery as for his legal researches. He was addressing a jury on one of the state trials in 1803 with his usual animation. The judge, whose political bias, if any judge can have one, was certainly supposed not to be favourable to the prisoner, *shook his head* in doubt or denial of one of the advocate's arguments. "I see, gentlemen," said Mr Curran—"I see the motion of his lordship's head; common observers might imagine that implied a difference of opinion, but they would be mistaken: it is merely accidental. Believe me, gentlemen, if you remain here many days, you will yourselves perceive that, when his lordship *shakes his head*, there's *nothing in it!*"

A former biographer of Mr Curran relates the following story of Judge Robinson and Mr Hoare, which, as it is incidental to the present subject, I shall take the liberty of quoting. "The judge," says Mr O'Regan, "was small and peevish—Mr Hoare strong and solemn; the former had been powerfully resisted by the uncompromising sternness of the latter. At length the judge charged him with a design to bring the king's commission into contempt: "No, my lord," said Mr Hoare; "I have read in a book that when a peasant, during the troubles of Charles the First, found the crown in a bush, he showed it all marks of reverence; but I will go a step further, for though I should find the king's commission even upon *a bramble*, still I shall respect it." I have every reason from Mr Curran's own report to believe the character given of this Robinson by the historian of the foregoing anec-

dote. If he does not affect the "nostrils of posterity" in precisely the same manner which has been prophesied, with more strength than delicacy, of a worthy judicial predecessor, it is only because he will never reach them. Future ages, however, may very easily esteem him more highly than did his own generation. Indeed it was currently reported, perhaps untruly, that he had risen to his rank by the publication of some political pamphlets, only remarkable for their senseless, slavish, and envenomed scurrility. This fellow, when poor Curran was struggling with adversity, and straining every nerve in one of his infant professional exertions, made a most unfeeling effort to extinguish him. He had declared, in combating some opinion of his adversary, that *he had consulted all his law books*, and could not find a single case in which the principle contended for was established. "I suspect, sir," said the heartless blockhead, "I suspect that your law library is rather contracted!" So brutal a remark applied from the bench to any young man of ordinary pretensions would infallibly have crushed him; but when any pressure was attempted upon Curran, he never failed to rise with redoubled elasticity. He eyed the judge for a moment in the most contemptuous silence: "It is very true, my lord, that I am poor, and the circumstance has certainly rather curtailed my library; my books are not numerous, but they are select, and I hope have been perused with proper dispositions. I have prepared myself for this high profession rather by the study of a few good books than *by the composition of a great many bad ones.* I am not ashamed of my poverty, but I should of my wealth, could I stoop to acquire it by servility and corruption. If I rise not to rank, I shall at least be honest; and should I ever cease to be so, many an example shows me, that an ill-acquired elevation, by making me the more conspicuous,

would only make me the more universally and the more notoriously contemptible." Robinson looked all that his nature would allow him, rather astonished than abashed; but I could not learn that he ever after volunteered himself into a similar altercation.

Amongst the strange characters of those days, not the least singular was Sir Boyle Roche. He was the droll of the House of Commons, and was continually perpetrating bulls, which Curran used to insist were the result of preparation. His celebrated one, confounding generations past and present, deserves a record. "Mr Speaker," said he, "I don't see why we should put ourselves out of the way to benefit posterity. What has posterity ever done for us?" When the roar which followed had subsided, Sir Boyle entered upon a lucid explanation. "By posterity, sir, I do not mean our ancestors, but those who were to come immediately *after them.*" On another occasion, he announced that "he for one was quite prepared to give up, not merely a part, but the whole of the constitution, *to preserve the remainder.*" Indignant at receiving small bottles from his wine-merchant, he took occasion to suggest to parliament, that for the future, by law, "every quart bottle should hold a quart;" a suggestion which, no doubt, touched the feelings of many an honourable gentleman. Curran by no means liked Sir Boyle. Having said one night that he needed no aid from any one, and could be "the guardian of his own honour"—"Indeed!" exclaimed Sir Boyle; "why, I always thought the right honourable member was *an enemy to sinecures.*" He was very proud of his alliance with the family of Sir John Cave, and boasted that Sir John had given him his eldest daughter. "If he had an older one, he'd have given her to you, Sir Boyle," said Curran. Sir Boyle seems to have had a rival in one of the judges of the King's Bench, who, in an argu-

ment on the construction of a will, sagely declared, "it appeared to him that the testator meant to keep a life interest in the estate to himself." "Very true, my Lord," said Curran gravely; "testators generally do secure a life interest for themselves, but in this case I rather think your lordship *takes the will for the deed.*" A Limerick banker, remarkable for his sagacity, had an iron leg: "His leg," said Curran, "is the *softest* part about him."

It may readily be supposed, that giving, as he did, such rein to his invective, and possessing such varied powers of exasperation, an escape from personal collision at all times was impossible. In the very outset of his professional career he was employed at Cork to prosecute an officer of the name of St Ledger for an assault upon a Roman Catholic clergyman. St Ledger, justly or unjustly, was suspected by Curran to be a mere political creature of Lord Doneraile, and to have acted in complete subserviency to the religious prejudices of his patron. On this theme he expatiated with such personal bitterness, and such effect, that St Ledger sent him a message the next day. They met, and Curran not returning his fire, the affair was concluded. "It was not necessary," said Curran, "for me to fire at him; he died in three weeks after the duel *of the report of his own pistol.*" On his relation of this circumstance, as it materially differed from my opinions on the subject, I took the liberty of asking him whether he thought the course which he had adopted with respect to Mr St Ledger ought to become a model for professional imitation. As the barrister receives his instructions from a solicitor, and as it is his duty zealously to act on them, it struck me as quite intolerable that a personal explanation should be expected from him afterwards. By his professional oath, as well as by his professional interest, he is

bound to exert every energy for his client; and surely the able discharge of such a trust should not fairly subject him to the effects of irritated pride or disappointed avarice. If such were the case, the profession of the law should altogether change its aspect; every fee ought to be a life-insurance, every brief be accompanied by a pistol, and the Temple commons succeed an apprenticeship to a rifle regiment. Mr Curran's justification on this subject was, that, on his entrance into life, the state of society in Ireland was literally so savage, that almost every argument was concluded by *a wager of battle*, and the man could scarcely be enrolled into their Christian community until, as in some Indian colonies, his prowess had been proved by an appeal to arms! This, however, he mentioned in terms of deep regret; admitting that he had suffered himself rather to be borne along by the tide of a barbarous custom, than regulated by any fixed principle of his own. In the case alluded to, he had very far indeed exceeded his instructions, and that was the reason why, in giving his antagonist personal satisfaction, he had deliberately secured him from any personal risk.

We may now consider him as established at the bar fully and prosperously, rising to the very summit of his profession, and daily employed in those forensic efforts on which his fame as an orator must rest with posterity. Occupied as he was, his convivial habits were never interrupted; and a society was formed, of the choicest spirits in the metropolis, in which Curran contributed more than his proportion of amusement. Of the hours passed in this society he ever afterwards spoke with enthusiasm. "Those hours," said he, addressing Lord Avonmore as a judge, and wringing tears from his aged eyes at the recollection, "those hours, which we can remember with no other regret than that they can return no more,—

"We spent them not in toys, or lust, or wine;
But search of deep philosophy,
Wit, eloquence, and poesy,
Arts which I loved; for they, my friend! were thine."

This society was entitled, no doubt very appropriately, "*The Monks of the Screw.*" It met on every Saturday, during the law term, in a large house in Kevin's Street, the property of the late Lord Tracton, and now converted into a Seneschal's Court! The furniture and regulations of their festive apartment were completely *monkish*, and they owed both their title and their foundation to an original society, formed near Newmarket by Lord Avonmore, of which he drew up the rules in very quaint and comic monkish Latin verse. The reader may have some idea of what a delightful intercourse this society must have afforded, when he hears that Flood, Grattan, Curran, Father O'Leary, Lord Charlemont, Judges Day, Chamberlaine, and Metge; Bowes Daly, George Ogle, Lord Avonmore, Mr Keller, and a whole host of such men, were amongst its members. Curran was installed Grand Prior of the order, and deputed to compose the charter song. I have often heard him repeat it at his own table, in a droll kind of recitative, but it is a little too bacchanalian for publication. It began thus:—

I.

When Saint Patrick our order created,
And called us the Monks of the Screw,
Good rules he revealed to our Abbot,
To guide us in what we should do.

II.

But first he replenished his fountain
With liquor the best in the sky,
And he swore by the word of his saintship,
That fountain should never run dry.

III.

My children, be chaste till you're tempted—
While sober, be wise and discreet—
And humble your bodies with fasting,
Whene'er you've got nothing to eat.

Then be not a glass in the convent,
Except on a festival, found—
And this rule to enforce, I ordain it
A festival—*all the year round.*

Saint Patrick, the tutelary idol of the country, was their patron saint; and his Lilliputian statue, mitred and crosiered, after having for years consecrated their monkish revels, was transferred to the convivial sideboard of the Priory. If that little statue was half as sensitive to the beams of wit as the work of Memnon was to the sunbeam, how often would its immortal master have made it eloquent!

Eminent in this society, and indeed in every other society of which he was a member, was Barry Yelverton, afterwards Lord Avonmore, the early friend of Curran, the companion of all his dearest enjoyments, the occasional rival of his talents or victim of his whims, and, to the day of his death, the theme of his idolatry. His character has been drawn by Sir Jonah Barrington, in his admirable work on the Union, with such a powerful hand, and, as I have heard acknowledged by Mr Curran, with such scrupulous fidelity, that I shall give it an entire transcription. Indeed, of Lord Avonmore I have myself a kind of early and affectionate recollection. When I was a schoolboy, he went as judge the circuit in which I resided—we were allowed vacation to go and *see the judges*—it was an era in the schoolboy's life. I had never seen a judge before. Poor Lord Avonmore observed, no doubt, the childish awe with which my eyes wandered over the robe, the wig, the little cap of office, and all the imposing paraphernalia of judicial importance. He took me on the bench beside him—asked my name—my parents—my school; and after patting me on the head and sharing his cakes with me, with much solemnity told me he would certainly return in

summer *on purpose* to inquire whether I minded my learning! I fully believed him, fancied myself at least a foot taller, and was, in my own way, quite as vain as *grown-up* children are of similar trifles. When I told Curran the circumstance, many a long day afterwards, adding that, at the time, I verily felt myself almost as consequential as the judge: "O yes," said he, the tear starting into his eye; "and take my word for it, that judge was every whit *as innocent as the schoolboy.*"

"Barry Yelverton," says Sir Jonah Barrington, "afterwards Lord Avonmore, and successor to Hussey Burgh, as Chief Baron of the Exchequer, had acquired great celebrity as an advocate at the Irish bar, and was, at this time, rapidly winging his way to the highest pinnacle of honourable notoriety and forensic advancement. He had been elected member of parliament for the town of Carrickfergus, and became a zealous partisan for the claims of Ireland.

"It would be difficult to do justice to the lofty and overwhelming elocution of this distinguished man, during the early period of his political exertions. To the profound, logical, and conclusive reasoning of Flood—the brilliant, stimulating, epigrammatic antithesis of Grattan—the sweetened, captivating, convincing rhetoric of Burgh—or the wild, fascinating imagery, and varied pathos of the extraordinary Curran, he was respectively inferior; but in powerful, nervous language, he excelled them all. A vigorous, commanding, undaunted eloquence burst in torrents from his lips—not a word was lost. Though fiery, yet weighty and distinct, the authoritative rapidity of his language, relieved by the figurative beauty of his luxuriant fancy, subdued the auditor without a power of resistance, and left him in doubt whether it was to argument or to eloquence that he surrendered his conviction.

"His talents were alike adapted to public purposes as his private qualities to domestic society. In the common transactions of the world he was an infant; in the varieties of right and wrong, of propriety and error, he was a frail mortal; in the senate and at the bar, a mighty giant: it was on the bench that, unconscious of his errors, and in his home, unconscious of his virtues, both were most conspicuous. That deep-seated vice which, with equal power, freezes the miser's heart and inflames the ruffian's passions, was to him a stranger: he was always rich and always poor; but though circumstances might sometimes have been his guide, avarice never was his conductor. Like his great predecessor, frugality fled before the carelessness of his mind, and left him the victim of his liberality, and, of course, in many instances a monument of gratitude. His character was entirely transparent—it had no opaque qualities; his passions were open, his prepossessions palpable, his failings obvious, and he took as little pains to conceal his faults as to publish his perfections.

"In politics he was rather more steady to party than to principle, but evinced no immutable consistency in either. A patriot by nature, yet susceptible of seduction—a partisan by temper, yet capable of instability—the commencement and conclusion of his political conduct were as distinct as the poles, and dissimilar as the elements.

"Amply qualified for the bench by profound legal and constitutional learning, extensive professional practice, strong logical powers, a classical and wide-ranging capacity, equitable propensities, and a philanthropic disposition, he possessed all the positive qualifications for a great judge. But he could not temporise: the total absence of skilful or even necessary caution, and the indulgence of a few feeble counteracting habits, greatly diminished that high reputation which a more cold phlegmatic mien, or a

solemn, imposing, vulgar plausibility, often confers on miserably inferior characters.

"As a judge, he certainly had some of those marked imperfections too frequently observable in judicial officers: he received impressions too soon, and perhaps too strongly; he was indolent in research, and impatient in discussion; the natural quickness of his perception hurried off his judgment, before he had time to regulate it, and sometimes left his justice and his learning *idle spectators* of his reasons and his determination; while extraneous considerations occasionally obtruded themselves upon his unguarded mind, and involuntarily led him away from the straight path of calm deliberation.

"But the errors of talented and celebrated men are always more conspicuous, exaggerated, and condemned, than those of inferior ones; and perhaps this severity is not altogether unjustifiable: the errors of dulness may be the errors of nature; those of talent have not the same apology. But even with all his faults, Lord Avonmore's abilities were vastly superior to those of almost all his judicial contemporaries united. If he was impetuous, it was an impetuosity in which his heart had no concern: he was never unkind, that he was not always repentant; and, ever thinking that he acted with rectitude, the cause of his greatest errors seemed to be a careless ignorance of his lesser imperfections.

"He had a species of intermitting ambition, which either led him too far or forsook him altogether. His pursuits, of course, were unequal, and his ways irregular: he sometimes forgot his objects, and frequently forgot himself. Elevated solely by his own talents, he acquired new habits without altogether divesting himself of the old ones; and there was scarcely a society so high, or a company so humble, that the instinctive versatility of his natural man-

ners could not be adapted to either. A scholar, a poet, a statesman, a lawyer,—in elevated society he was a brilliant wit, at lower tables a vulgar humourist — he had appropriate anecdote and conviviality for all—and, whether in the one or in the other, he seldom failed to be either entertaining or instructive.

"He was a friend, ardent, but indiscriminate even to blindness—an enemy, warm, but forgiving even to folly. He lost his dignity by the injudiciousness of his selections, and sunk his consequence in the pliability of his nature: to the first he was a dupe, to the latter an instrument. On the whole, he was a more enlightened than efficient statesman, a more able than unexceptionable judge, and more honest in the theory than the practice of his politics. His rising sun was brilliant—his meridian, cloudy—his setting, obscure; crosses at length ruffled his temper, deceptions abated his confidence, time tore down his talent—he became depressed and indifferent; and after a long life of chequered incidents and inconsistent conduct, he died, leaving behind him few men who possessed so much talent, so much heart, or so much weakness.

"This distinguished man, at the critical period of Ireland's emancipation, burst forth as a meteor in the Irish senate. His career in the Commons was not long, but it was busy and important: he had connected himself with the Duke of Portland, and continued that connexion uninterrupted till the day of his dissolution. But through the influence of that nobleman, and the absolute necessity of a family provision, on the question of the Union the radiance of his public character was obscured for ever—the laurels of his early achievements fell withered from his brow; and after having with zeal and sincerity laboured to attain independence for his country in 1782, he became one of its sale-masters in 1800; and mingling in a

motley crowd—uncongenial to his native character, and beneath his natural superiority—he surrendered the rights, the franchises, and the honours of that peerage to which, by his great talents and his early virtues, he had been so justly elevated.

"Except upon the bench, his person was devoid of dignity, and his appearance ordinary, and rather mean; yet there was something in the strong-marked lines of his rough unfinished features which bespoke a character of no common description. Powerful talent was its first trait; fire and philanthropy contended for the next; his countenance, wrought up and varied by the strong impressions of his labouring mind, could be better termed indicatory than expressive; and in the midst of his greatest errors and most reprehensible moments, it was difficult not to respect, and impossible not to regard him."

Such is his picture as drawn by a very admirable and powerful pen. There certainly are features in it not necessary to have been exhibited in such a work as this, but quite indispensable to the more serious details of Sir Jonah Barrington's political history. Yelverton lamented his vote on the Union. When, some few years afterwards, defending that measure, on his friend saying to him, "Well, well, Yelverton, you were a patriot in 1782," the tears came into his eyes. Whatever may have been his tergiversations as a politician, we have merely to view him as the friend of Curran, the companion of his convivial hours, and the associate of his professional struggles. His simplicity was quite astonishing. He was the complete Goldsmith of the bar, as inspired, as simple, and at times as absent. Curran, who delighted to exemplify both by imitation and by anecdote the characters which he sketched, used to detail innumerable instances of this characteristic. He was his Magnus Apollo—he always took care to sit

next him at table, and put himself under his especial direction. Over and over again he was the victim of his infallible but good-natured waggishness; and if Curran began the most incredible story, continuing it to the end with a grave face, he was sure to command the temporary credulity of Barry Yelverton! However, when all recollection of the story was lost, and some different topic under discussion, perhaps in about half-an-hour afterwards, he, *who had been revolving it all the time in his memory*, would at length, self-satisfied, turn round, "Why, Curran, that story you told awhile ago is both morally and physically *impossible*." The conscious smile of Curran instantly betrayed the imposition; but the next moment would have made his hearer a dupe again, and the next half-hour not failed to produce another discovery. The mind, however, which was thus replete with simplicity, was stored with the rich wealth of classic lore, and capable of grasping the most momentous subjects. The Court of Exchequer in which he presided, was, during his time, literally the arena of wit and eloquence. The idler resorted to it for amusement, the student for information, and scarcely a day passed in which something did not occur well worthy of being recorded. As a judge, and indeed Barrington has hinted at it, Lord Avonmore had one great fault: he was apt to take up a first impression of a cause, and it was very difficult afterwards to obliterate it. The advocate, therefore, had not only to struggle against the real obstacles presented to him by the case itself, but also with the imaginary ones, created by the hasty anticipation of the judge. Curran was one day most seriously annoyed by this habit of Lord Avonmore, and he took the following whimsical method of correcting it. The reader must remember that the object of the narrator was, by a tedious and malicious procrastination,

to irritate his hearer into the vice which he was so anxious to eradicate. They were to dine together at the house of a common friend, and a large party was assembled, many of whom witnessed the occurrences of the morning. Curran, contrary to all his usual habits, was late for dinner, and at length arrived in the most admirably affected agitation. "Why, Mr Curran, you have kept us a full hour waiting dinner for you," grumbled out Lord Avonmore. "Oh, my dear Lord, I regret it much; you must know it is not my custom, but—I've just been witness to a most melancholy occurrence." "My God! you seem terribly moved by it—take a glass of wine. What was it?—what was it?"—"I will tell you, my Lord, the moment I can collect myself. I had been detained at Court—in the Court of Chancery—your Lordship knows the Chancellor sits late." "I do, I do—but *go on.*"—"Well, my Lord, I was hurrying here as fast as ever I could—I did not even change my dress—I hope I shall be excused for coming in my boots?" "Poh, poh—never mind your boots: the point—come at once to the point of the story." —"Oh—I will, my good Lord, in a moment. I walked here—I would not even wait to get the carriage ready—it would have taken time, you know. Now there is a market exactly in the road by which I had to pass—your Lordship may perhaps recollect the market—do you?" "To be sure I do—*go on*, Curran—*go on* with the story." —"I am very glad your Lordship remembers the market, for I totally forgot the name of it—the name—the name—" "What the devil signifies the name of it, sir?—it's the Castle Market."—"Your Lordship is perfectly right—it is called the Castle Market. Well, I was passing through that very identical Castle Market, when I observed a butcher preparing to kill a calf. He had a huge knife in his hand—it was as sharp as a razor. The calf was stand-

ing behind him—he drew the knife to plunge it into the animal. Just as he was in the act of doing so, a little boy about four years old—his only son—the loveliest little baby I ever saw, ran suddenly across his path, and he killed—oh, my God! he killed—" "The child! the child! the child!" vociferated Lord Avonmore. "No, my Lord, *the calf*," continued Curran, very coolly; "he killed the calf, but—*your Lordship is in the habit of anticipating.*" The universal laugh was thus raised against his Lordship; and Curran declared that, often afterwards, a first impression was removed more easily from the Court of Exchequer by the recollection of the calf in Castle Market, than by all the eloquence of the entire profession.

Lord Avonmore loved a jest in his very heart. He could not resist it even upon the bench; and his friend, well aware of the propensity, used not unfrequently to wage war against the gravity of the judgment-seat. He has often related, facetiously enough, an attack which he once made upon the mingled simplicity and laughter-loving disposition of the Chief-Baron, who, with all his other qualifications, piqued himself, and very justly, on his profound classical acquisitions. He was one day addressing a jury of Dublin shopkeepers, so stupid and so illiterate that the finest flights of his eloquence were lost on them. "I remember, gentlemen," said he, stealing a side glance at the unconscious and attentive Lord Avonmore, "I remember the ridicule with which my learned friend has been pleased so unworthily to visit the poverty of my client; and remembering it, neither of us can forget the fine sentiment of a great Greek historian upon the subject, which I shall take the liberty of quoting in the original, as no doubt it must be most familiar to all of you. It is to be found in the celebrated work of Hesiod called the *Phantasmagoria.* — After expatiating upon the sad

effects of poverty, you may remember he pathetically remarks—

> 'Nil habet infelix paupertas durius in se
> Quam quod ridiculos homines facit.'"

Lord Avonmore bristled up at once—"Why, Mr Curran, Hesiod was not an historian—he was a *poet*; and, for my part, I never heard before of any such poem as the *Phantasmagoria.*"—"Oh, my good Lord, I assure you he wrote it." "Well, well, it may be so—I'll not dispute it, as you seem to be so very serious about it; but at all events, the lines you quoted are *Latin*—they are undoubtedly Juvenal's."—"Perhaps, my Lord, he quotes them from the Phantasmagoria." "Tut, tut man, I tell you they're *Latin*—they're just as familiar to me as my Blackstone."—"Indeed, my good Lord, they're Greek." "Why, Mr Curran, do you want to persuade me out of my senses? I tell you they're *Latin*—can it be possible that your memory so fails you?"—"Well, my Lord, I see plainly enough we never can agree upon the subject—but I'll tell you how it can easily be determined. If it was a legal question, I should of course bow at once to the decision of your Lordship; but it is not—it's a mere matter of fact, and there's only one way I know of deciding it: send it up as a collateral issue to that jury, and I'll be bound they'll——*find it Greek.*" The joke flashed upon the simplicity of Lord Avonmore—he literally shook with laughter; and that the whole picture might preserve its *keeping*, Curran declared he extended his immense hand over the cheek that was next the jury-box, *by way of keeping them entirely out of the secret.*

Amongst his other peculiarities, he was in the habit of occasional fits of absence. One day, at a crowded dinner, the common toast of our *absent friends* was given. Curran, as usual, sat beside Lord Avonmore, who was immersed

in one of his habitual reveries, altogether unconscious of what was passing. He maliciously aroused him—"Yelverton, Yelverton!—the host has just announced your health in very flattering terms: it is considered very cavalier in you not to have acknowledged it."—Up started the unsuspecting Yelverton, and it was not till after a very eloquent speech that he was apprised of the hoax in which it had originated!

With all this simplicity he was undoubtedly a very great man; and it is an irreparable loss to literature, that either his modesty or his indolence prevented his transmitting to posterity any work to justify the impression which he so powerfully has made on the memory of his contemporaries. It is said, indeed, that there is in existence either a translation or a corrected edition of Livy, in manuscript, which he prepared during the intervals of his professional labour, but which he was too timid to offer for publication. In illustration of this, Mr Curran told me himself, that his Lordship had produced a most beautiful poetic translation of Horace's celebrated Ode, commencing

"Integer vitæ, scelerisque purus."

This translation was the admiration of every one who heard it, but it existed alone in the memory of its author, who never could be prevailed upon to give a copy of it. Curran, one day after dinner, got him to recite it—he then solicited its repetition; but Lord Avonmore saw Curran taking out his pencil for the purpose of reducing it to writing, and no one afterwards ever heard it from his lips! It is remarkable enough that Mr Curran, who never failed to descant indignantly upon this negligence in Lord Avonmore, was himself withheld by the very same feeling from giving even a correct copy of his speeches to the world. It was not the fault of, at least, his present humble

biographer. I had hoped, by repeated solicitations, to have made my country my debtor by inducing him to the undertaking; but when I urged, he promised, and day after day rolled away over entreaty renewed and performance deferred, until death terminated the fatal procrastination. I am indebted to the kindness of a friend, who noted it down at the moment, for the following happy illustration, by Lord Avonmore, of the labours of Sir William Blackstone, the celebrated commentator on the laws of England. "He it was," said he, "who first gave to the law the air of science. He found it a skeleton, and he clothed it with life, colour, and complexion; he embraced the cold statue, and by his touch it grew into youth, and health, and beauty." This was thrown carelessly off by him at the moment, and, if report be true, he scarcely ever spoke without uttering something equally worthy of being remembered. There could not be found a more appropriate motto to prefix to the Commentaries, than the compendious eulogium of the brother-judge. There was only one period of Lord Avonmore's life upon which his friends could not reflect with complacency. This was the disastrous period of the Union—a measure for their traitorous support of which, the public will hear with horror, many delinquent members of that suicidal Parliament in the face of day openly claimed performance of the reversionary promises of Government! It may be that the vote which he unfortunately gave upon that occasion was the result of his honest conviction; however, it was too true that a very lucrative office was the consequence of it. Previous to the Union, some unfortunate difference had interrupted the friendship which commenced with the infancy and grew with the growth of Yelverton and Curran; and it was not until the year 1805 that a reconciliation was effected between them. When friends really separate, the reunion is most difficult. The cause

of the reconciliation is creditable to them both, and cannot fail to interest the reader, because it originated the following most beautiful picture of his friend, drawn by the hand of Curran in direct reference to the little convivial society which introduced his mention. On the memorable cause of the King *v.* Mr Justice Johnston, in the court of Exchequer, when Curran came to be heard, after alluding to a previous decision in the King's Bench against his client, he thus pathetically appealed to Lord Avonmore:—

"I am not ignorant, my Lords, that this extraordinary construction has received the sanction of another court, nor of the surprise and dismay with which it smote upon the general heart of the bar. I am aware that I may have the mortification of being told, in another country, of that unhappy decision; and I foresee in what confusion I shall hang down my head when I am told of it. But I cherish, too, the consolatory hope that I shall be able to tell them that I had *an old and learned friend,* whom I would put above all the sweepings of their hall, who was of a different opinion—who had derived his ideas of civil liberty from the purest fountains of Athens and of Rome—who had fed the youthful vigour of his studious mind with the theoretic knowledge of their wisest philosophers and statesmen, and who had refined that theory into the quick and exquisite sensibility of moral instinct, by contemplating the practice of their most illustrious examples—by dwelling on the sweet-souled piety of Cimon; on the anticipated Christianity of Socrates; on the gallant and pathetic patriotism of Epaminondas; on that pure austerity of Fabricius, whom to move from his integrity would have been more difficult than to have pushed the sun from his course. I would add that, if he had seemed to hesitate, it was but for a moment; that his hesitation was like the passing cloud that floats across the morning

sun, and hides it from the view, and does so for a moment hide it by involving the spectator without even approaching the face of the luminary; and this soothing hope I draw from the dearest and tenderest recollections of my life, from the remembrance of those *attic nights* and those *refections of the gods,* which we have spent with those admired and respected and beloved companions who have gone before us, over whose ashes the most precious tears of Ireland have been shed. Yes, my good Lord, *I see you do not forget them;* I see their sacred forms passing in sad review before your memory; I see your pained and softened fancy recalling those happy meetings, when the innocent enjoyment of social mirth expanded into the nobler warmth of social virtue, and the horizon of the board become enlarged into the horizon of man;—when the swelling heart conceived and communicated the pure and generous purpose—when my slenderer and younger taper imbibed its borrowed light from the more matured and redundant fountain of yours. Yes, my Lord, we can remember those nights with no other regret than that they can return no more, for

> 'We spent them not in toys, or lust, or wine,
> But search of deep philosophy,
> Wit, eloquence, and poesy—
> Arts which I loved; for they, my friend! were thine.'

But, my Lords, to return to a subject, from which we have thus far departed, I think may not be wholly without excuse."

He then proceeded to reconsider the legal argument, in the midst of which this most beautiful episode bloomed like a green spot amid the desert.

Mr Curran told me himself, that, when the court rose, the tipstaff informed him he was wanted immediately in chamber by one of the judges of the Exchequer. He, of

course, obeyed the judicial mandate, and the moment he entered, poor Lord Avonmore, whose cheeks were still wet with the tears extorted by this heart-touching appeal, clasped him to his bosom, and from that moment every cause of difference was obliterated.

A curious and very characteristic anecdote of Lord Avonmore, illustrative of his extreme sensitiveness upon classical subjects, was related to me by a gentleman of high authority. *Mr Plunket*, who, in the English senate, has added another leaf to the laurels of the Irish bar, had appealed once from one of the College elections, and the examination of Lord Avonmore became indispensable. It was necessary for the witness frequently to make use of the term *testimonium*, which, in the plural, he invariably called *testimoniums*. Mr Plunket, who intended to publish the evidence, and was particularly anxious to have it what he thought correct, asked his lordship whether he had any objection to have the phrase *testimoniums* taken down *testimonia*. "O, not the least, sir," answered the offended scholar, "provided in your opinion it is *better English*."

There is one fragment, and only one, of Yelverton's eloquence in the House of Commons, which I am able to present as worthy of preservation. On Fitzgibbon's attacking Mr Grattan in his absence, he thus vehemently resented it:—

"If my learned friend were present, the honourable gentleman would take some time to consider, before he hazarded an encounter with his genius, his eloquence, and his integrity. My honourable friend did not provoke an attack equally ungenerous and untrue, and for which no justification can be found in any part of his splendid career. The learned gentleman has stated what Mr Grattan is; I will state what he is not. He is not *styed* in

his prejudices; he does not trample on the resuscitation of his country, or live, like a caterpillar, on the decline of her prosperity; *he does not stickle for the letter of the constitution with the affectation of a prude, and abandon its principles with the effrontery of a prostitute.*"

Another member of the Monks of the Screw, of whom Curran invariably spoke in terms of great kindness, was Mr John Egan, chairman of Kilmainham: he was a very striking instance of the fickleness of public taste, and the mutability of professional fortune. During the chiefship of Lord Avonmore, *Bully* Egan, as, from his size and his swagger, he was universally denominated, was to be seen every Nisi Prius day bending beneath the weight of his record-bag, and occasionally laying his wig on the table, that he might *air his head* during the intervals of his exertions. He was an immense-sized man, as brawny, and almost as black, as a coal-porter. "Did you ever see," said he, striking his bosom triumphantly, "did you ever see such a *chest* as that?"—"A *trunk* you mean, my dear Egan," answered Curran good-humouredly, who was a mere pigmy in the comparison.

In an election for the borough of Tallagh, Egan was an unsuccessful candidate: he, however, appealed from the decision, and the appeal came, of course, before a committee of the House of Commons. It was in the heat of a very warm summer, Egan was struggling through the crowd, his handkerchief in one hand, his wig in the other, and his whole countenance raging like the dog-star, when he met Curran—"I'm sorry for you, my dear fellow," said Curran.—"Sorry! why so, Jack—why so? I'm perfectly at my ease." "Alas, Egan! 'tis but too visible to every one that you're losing *tallow* (*Tallagh*) fast."

During the temporary separation of Lord Avonmore and Curran, Egan, either wishing to pay his court to the

Chief-Baron, or really supposing that Curran meant to be offensive, espoused the judge's imaginary quarrel so bitterly that a duel between the barristers was the consequence. They met, and on the ground Egan complained that the disparity in their sizes gave his antagonist a manifest advantage: "I might as well fire at a razor's edge as at him," said Egan, "and he may hit me as easily as a turf-stack."—"I'll tell you what, Mr Egan," replied Curran, his pistol in his hand, and Egan scowling at him under brows that rivalled Lord Thurlow's—"I wish to take no advantage of you whatever—let my size be *chalked* out upon your side, and I am quite content that every shot which hits outside that mark should *go for nothing.*" It will readily be believed that such a contest was not very deadly; and although the combatants fired at one another, the shots were too aimless to produce much injury. Very different, however, in its consequences to him, was his equally bloodless, but at least professionally much more fatal contest with Mr Grattan, of the cause and progress of which the following account is given in the Parliamentary history of the day.

Mr GRATTAN. — Another honourable member was pleased to say much to the prejudice of my Lord Fitzwilliam's administration: to that I have only to answer, it was a little unfortunate for the honourable gentleman's political consistency that he did not much sooner discover the errors of that administration, which, while in power, was the object of his strenuous support, and the subject of his warm panegyric. At the same time that I am to thank him for the support—I would say the unsolicited support—which he gave to that administration, no doubt from the purest motives, and without any view to patronage, (for the honourable member is his own patron,) I own I am not much surprised at his language. The honour-

able member has said a great deal of the bad intentions by which, he says, I and my friends are actuated, in a style of moderation peculiar to himself: to be sure, he has odd methods of making the house laugh. He has talked much of French principles and of insurrection, and I believe, amongst other things, said something of cutting off my head; and this in a manner so peculiarly his own, in the fury and whirlwind of his passion, that though I did not actually behold the *guillotine* of which he spoke, I certainly thought I saw the *executioner*.

Mr EGAN.—As I am attacked in this way, I will show the right honourable gentleman and his friends that I do not want *bottom* to retort such attacks; I will teach them that *no little duodecimo volume of abuse* shall discharge its rancorous contents against my person, or my character, without meeting the treatment it deserves. I will have the member also to know, that no part of the support which I gave to Lord Fitzwilliam's administration was directed to him. I disdained to make him the idol of my adoration, and shunned his intimacy even when he was in the zenith of his power, and strutted in pigmy consequence about the castle. I believed Lord Fitzwilliam to be a nobleman of the purest intentions, and, acting on that opinion, did vote in support of his administration; but I soon saw he was made the dupe of a family compact, and the tool of little men, who thought to swell themselves into importance, and, Colossus-like, bestride the country, while the gentlemanhood of Ireland was to be haughtily excluded from the court of the Viceroy. I have no party views, no ambition to gratify, no selfish object in supporting the present administration, no promises or expectations from them; and though it is too true that I was occasionally duped into voting with the *seven wise men* opposite, (the opposition was then reduced to seven,) yet, with more

experience, I perceived their conduct was the mere result of disappointed party—the mere malevolence of defeated ambition. The right honourable member owes to the liberality of his country, and a vote in this House, the means of his independence, (alluding to the vote of £50,000 to Mr Grattan by the Irish Parliament,) and I, when a *boy*, and not in this House, rejoiced at the measure, because I thought he deserved it; but when I reflect on the acrimony and inflammation he has since poured out on the popular mind—when I reflect on the irreparable mischief his doctrines have created—when I see that he has betrayed the country as a victim to his own disappointed ambition, I should not be surprised if, when he reclined upon his pillow, his imagination, like Macbeth's, should be scared with the ghosts of the unfortunate persons whose lives had been the sacrifice, passing before him in melancholy procession."

Mr GRATTAN, (with an air of much good humour.)—"I beg pardon for again trespassing on the House at so late an hour, but what has fallen from the honourable member renders it necessary I should set his feelings right in reference to what I said. I spoke in mere pleasantry, and thought the House received it in a good-humoured way; but the honourable gentleman seems to have taken it up with a fury peculiar to himself, and with that sort of *swagger* which, give me leave to say, is not, in my mind, an indication of either talents or spirit. If he means to use that sort of swaggering by way of intimidation, give me leave to tell him he is mistaken in its application: it is a bad substitute for abilities, and, at best, but a very suspicious indication of courage: it is like the artifice of a timid bully endeavouring to frighten away fear. I have read somewhere in some poet, that

'An angry fool's a very harmless thing.'

I really think so, and I consider the rage of the honourable member as perfectly *innocent.* He says, no man shall allude to him with impunity. Why, I have no wish to go out of my road to allude to the honourable member, but, if he will throw himself across my way, I have no objection to tread on him. If, however, he imagines that anything like vulgar ruffianism or paroxysms of fury are to intimidate, he will find himself mistaken; for the manner of that ruffianism, the folly of those paroxysms, and the blockheadism of that fury, are too ridiculous to excite serious notice. I smile at them. The honourable member, in his contortions, presented to my mind the idea of a *black soul writhing in torments,* and his language very forcibly associated with the idea of a certain description of the fair sex, with whom, in manner and in dialect, he seems zealously to assimilate. As to the menaces of the honourable member to disclose any confidence he ever enjoyed from me, I feel them in the sort of disregard they merit, and I answer in the words of the poet—

> 'There is no terror, Cassius, in your threats;
> For I am armed so strong in honesty,
> That they pass by me as the idle wind,
> Which I regard not.'"

Here, apparently at least, the personal animosity subsided. However, Mr Grattan was at that time most deservedly the idol of the Irish people, who, in any contest, either personal or political, never failed to enlist themselves as his auxiliaries. It would be very difficult, one would imagine, to elicit anything of the ridiculous out of the envenomed warfare we have just recited. Sombre, however, must be the subject from which the Irish people cannot extract a laugh. Egan was then a circuit barrister in good business. After this dispute with Mr Grattan, there was not a waiter in any considerable town upon his circuit

whose first question to the passenger on his entrance to the hotel was not invariably, "Sir, would your honour dine; you can have any fish your honour pleases: perhaps your honour would prefer an EGAN."—"An *Egan*, friend! what's an *Egan?*" "Lord, sir! I thought Mr Grattan told every one what an *Egan* was. It is a *black soul* (sole) fried." The result of all this was, that wherever poor Egan went, he was associated with the idea of a *black sole*. Few men can encounter successfully continual ridicule; his business gradually declined; the death of his friend the Chief-Baron gave it the finishing blow; and, when he died, his entire stock in trade consisted of three shillings found upon his chimney-piece! However, he has left a memory behind him which men more fortunate in life may envy. With talents far above mediocrity, a good heart and a high spirit, he passed through the world beloved by his friends, and his last political act must command the respect even of his enemies. He was, as we have seen, far from independence. Almost his only wealth was the chairmanship of Kilmainham. He was in Parliament at the disastrous period of the Union—was threatened with ministerial displeasure if he opposed, and offered splendid remuneration if he supported the measure. As the debate proceeded, Egan was perceived writhing with some insuppressible emotion; at length, unable longer to contain himself, he sprang from the benches, unburdened his feelings in a most furious philippic, and sat down indignantly exclaiming, "Ireland!—Ireland for ever! *and damn Kilmainham!*" Poor Egan! who that remembered that honest but homely exclamation would wish to say anything to thy disadvantage? Alas! many a titled traitor, whose wealth is the wages of his conscience and the purchase-money of his country, may envy him the three shillings on his chimney-piece. Had all acted with his honourable

bluntness, Ireland would still have a name, and her inhabitants a country. "Let," said a little bagatelle published after his death—

> "Let no man arraign him,
> That knows, to save the realm, he *damned Kilmainham.*"

There were very few men whom I have heard Mr Curran mention with more invariable affection than Egan. He seemed literally to blend the memory of him and Lord Avonmore in a kind of posthumous communion. They were the two members of the Monks of the Screw whom he appeared most gratified in remembering; and therefore it is that I have endeavoured, even with a feeble fidelity, to sketch them for the reader. There were many others well worthy of being noticed—"men over whose ashes the best tears of Ireland have been shed," and whose names will live in the hearts of posterity while wit, eloquence, and patriotism are dear to mankind. This little society continued its sittings for many years; and here it was that the eloquence of the senate, the learning of the bar, and the labour of the study delighted to unbend themselves. Many of its members had, however, been bound together as much by the recollection of their boyish days as by the more serious avocations of their manhood: the enrolment of those not endeared by that remote and delightful association was little encouraged: years thinned, one by one, the original community, which gradually died away, and has now only a traditional existence in these perishable pages.

Of the political friends of Curran, admired and esteemed by him, and friendly to the last, was Grattan. *Clarum et venerabile nomen.* The history of this great man, from his entrance into Parliament in 1775 down to its extinction, is the history of Ireland and of Ireland's only splendid epoch. He it was who achieved her triumphs, established

her rights, and, at the hazard of his life, confronted her enemies. My space is too limited to enumerate the benefits he conferred upon his country; and where is the pen adequate to depict the zeal, the perseverance, the intrepidity, the wisdom, the eloquence almost divine, which waited on his efforts and secured the victory? At every step he was opposed, but upon every obstacle he trampled. The task he undertook had difficulties to depress the sanguine, and terrors to intimidate the brave. But he knew not despair—danger he despised. Almost a stripling, he assailed corruption in its darkest den, and dragged its monsters and its mysteries into day. Almost unaided, he stormed oppression's loftiest citadels, liberating captive rights, and levelling with the dust the strongholds which confined them. His voice penetrated the recesses of the Treasury, and peculation trembled. He uncobwebbed the abuses of the church, and religion blessed him. He disdained the gold and defied the vengeance of the Castle, and power and its minions cowered before him. Every measure which tended to the dignity or prosperity of Ireland he either originated or advanced. Free Trade, Legislative Independence, the Final Judicature, head a list of boons and triumphs exclusively his own. A friend to the throne, but not to its encroachments—advocating the privileges while denouncing the venality of the senate—an awakened and astonished nation heard from his lips his principle in his prayer, "However it shall please Providence to dispose of princes or of parliaments, may the liberties of the people be immortal!" Pious words—patriot words—language new to a land of slaves and suppliants, which, if even Swift had learned, he dared not to whisper. Deeds followed—their record devolves on history; but were history faithless to her trust, Ireland's traditions would preserve, and Ireland's heart indelibly retain them. Be

it my humble task to sketch such outline of the man, and his characteristics, as will convey to the reader a resemblance, however faint.

Grattan was short in stature, and unprepossessing in appearance. His arms were disproportionably long. His walk was a stride. With a person swaying like a pendulum, and an abstracted air, he seemed always in thought, and each thought provoked an attendant gesticulation. Such was the outward and visible form of one whom the passenger would stop to stare at as a droll, and the philosopher to contemplate as a study. How strange it seems, that a mind so replete with grace and symmetry, and power and splendour, should have been allotted such a dwelling for its residence. Yet so it was; and so also was it one of his highest attributes, that his genius, by its "excessive light," blinded the hearer to his physical imperfections. It was the victory of mind over matter. The man was forgotten in the orator. Mr Grattan, whose father represented the city of Dublin in Parliament, and was also its Recorder, was born in the year 1746. He entered the Middle Temple in 1767, and was called to the Irish bar in 1772. In the University of Dublin he was eminently distinguished, sharing its honours, in *then* amicable contention, with Fitzgibbon,—not merely the antagonist, but the enemy, and the bitter one, of an after day. We have a record, more authentic than usual, of his pursuits while at the Temple. The study of the law occupied but little of his attention. He never relished it, and soon abandoned the profession altogether. Of the theatre he was very fond—little wonder in the zenith of Garrick—and it was a taste he indulged in to the last. I well remember, somewhere about the year 1813, being in Crow Street when he entered with Catalani leaning on his arm. The house was crowded, and he was hailed with

acclamations. In vain he modestly consigned them to the lovely syren his companion. His name rang wildly through the theatre. I think I still hear the shouts when his person was recognised, and still behold his venerable figure bowing its awkward gratitude. No one knew better the true value of that bubble tribute. Another of his amusements, if indeed it was not something more, when he was at the Temple, seems to have been a frequent attendance in both Houses of Parliament. He sketched the debates and the speakers by whom he was most attracted. These sketches now possess an enduring interest. The future splendours of the painter reflect a fresher light upon his portraits. The sketch of Edmund Burke!—the sketch of Chatham—by *young* Henry Grattan—the first impressions. Here they are. "I have heard Burke. He is ingenious, oratorical, undaunted." "Burke is unquestionably the first orator of the Commons of England. Boundless in knowledge—instantaneous in his apprehensions—abundant in his language, he speaks with profound attention, and acknowledged superiority, notwithstanding *the want of energy, the want of grace*, (he could see this in another,) *and the want of elegance in his manner.*" His account of Lord Chatham is still more curious. It will occasion to many a surprise such as appears to have been produced in the writer. "Speaking in a style of conversation" scarcely comes up to our idea of "the terrible Cornet of horse, whose scowl used to give Sir Robert Walpole a pain in his back." Yet Mr Grattan's representation has been confirmed by others—a confirmation little needed, considering how consummate a judge he was, and how likely to be accurate on such a subject. "Chatham was a man of great genius, great flight of mind. His imagination was astonishing. I heard him several times when I was at the Temple—on the American war, on the

King's speech in 1770, and on the privileges of Parliament. He was very great and *very odd. He spoke in a style of conversation,* not, however, what I expected: it was not a speech, for he never came with a prepared harangue. His style was not regular oratory, like Cicero or Demosthenes, but it was very fine and very elevated. He appeared more like a grave character advising than mingling in the debate. His gesture was always graceful; he was an incomparable actor. *Had it not been so, it would have appeared ridiculous.* His address to the tapestry and to Lord Effingham's memory required a fine actor, and he was that actor."* Even in those early days, Grattan was preparing sedulously for his future destination. He had taken a residence near Windsor Forest; and there it was his custom to rove about by moonlight, addressing the trees as if they were an audience. His landlady took such manifestations much to heart. "What a sad thing it was," she would say, "to see the poor young gentleman all day talking to somebody he calls Mr Speaker, when there's no speaker in the house except himself." Her mind was clearly made up upon the subject. Nor was the old lady singular in her opinions. In some few years afterwards, no less a man than Edmund Burke wrote over to Ireland, "Will no one stop that madman Grattan?" It was not the first time that a holy enthusiasm, strong in its faith, and steadfast in its purpose, was so misunderstood. Assuredly, when Burke himself enacted the dagger-scene on the floor of the House of Commons, the epithet was more applicable. I wish we had a few such madmen now. When Burke wrote thus, the "madman Grattan" was contemplating the glorious future. His ardent mind beheld the vision of the country

* *Grattan's Life and Times,* by his Son. A work invaluable to all who desire to know accurately the period of which it treats.

he so loved rising erect from the servitude of centuries, "redeemed, regenerated, and disenthralled" by his exertions. Nor was that vision baseless: he made of it a proud and grand reality. Her chains fell off, as at the bidding of an enchanter. Her commerce free, and her independence recognised, Ireland took her place amongst the nations, unfettered, save by gratitude to him, her child—her more than champion, her deliverer—who with fire-touched lips and lion-heart achieved her liberty. Captive to him she was, and willingly. If it be a grand and noble spectacle to see the sovereign of a state rewarding service, whether rendered on flood or field, or in the more peaceful labours of the forum or the senate—as, assuredly, it is—how much more grand, how much more touching, is it to see a nation on its knees, offering a heart-homage to the patriotism that had redeemed it!

There was a struggle then between Grattan and his country—a contention between gratitude and dignified disinterestedness. It was who should give the most, and who should accept the least. One hundred thousand pounds was the first grant proposed: he promptly and firmly refused it; and, be it recollected, he had sacrificed his profession—he had devoted his time and his talents exclusively to the public—and, if not a poor man, he was very far from being a rich one. One half the sum he was afterwards with difficulty prevailed on to accept; and this, it has transpired since his death, he has bequeathed to the citizens of Dublin in case of failure of issue. But he submitted thus to be a debtor exclusively to Ireland. In subsequent political combinations—and his friends were afterwards in power—he resisted every temptation. It is revolting to reflect that a gift like this, so honourable to all parties, should have ever been made a reproach to him by political animosity. His reply was very fine. "I hold that grant,"

said he, "by the same title by which the house of Brunswick holds the throne—the PEOPLE *gave it, and I received it.*"

He entered the Irish House of Commons, under the auspices of "the good and gracious Earl of Charlemont," in December 1772, and on the 15th of that month made his maiden speech. Here is the record of his gratitude to his early patron:—"I beg leave to say a few words of the good and gracious Earl of Charlemont. An attack, not only on his measures, but on his representative, makes his vindication necessary. Formed to unite aristocracy and the people—with the manners of a court and the principles of a patriot—with the flame of liberty and the love of order—unassailable to the approaches of power, of profit, or of titles: he annexed to the love of freedom a veneration for order, and cast on the crowd that followed him the gracious light of his own accomplishments, so that the very rabble grew civilised as it approached his person. For years did he preside over a great army* without pay or reward, and he helped to accomplish a great revolution without a drop of blood.

"Let slaves utter their slander, and bark at glory which is conferred by the people; his name will stand; and, when their clay shall be gathered to the dirt to which they belong, his monument, whether in marble or in the hearts of his countrymen, shall be resorted to as a subject for sorrow, and an excitation to virtue."† A noble and well-merited eulogium.

His success was instantaneous, and his consequent industry appears to have been indomitable. The affairs of Parliament were to be henceforward the business of his life, and he studied them minutely. The chief difficulty

* The Irish volunteers. † Letter to Lord Clare.

in this great speaker's way was the first five minutes. During his exordium laughter was imminent. He bent his body almost to the ground, swung his arms over his head, up and down and around him, and added to the grotesqueness of his manner a hesitating tone and drawling emphasis. Still there was an earnestness about him that at first besought, and, as he warmed, enforced—nay, commanded attention. The elevation of his mind, the grandeur of his diction, the majesty of his declamation, the splendour of his imagery, and the soundness of his logic, displayed in turn the ascendency of a genius whose sway was irresistible. He was fine and judicious in his panegyric; but his forte—that which seemed to conjure up and concentrate all his faculties—was the overwhelming, withering severity of his invective. It was like the torrent-lava, brilliant, inevitable, fatal. It required such qualifications to overcome the peculiarity of his appearance, and the disadvantages of his manner. Truly, indeed, might it be said of him as he said of Chatham, "he was very great, and *very odd.*" For a time the eye dissented from the verdict of the mind; but at last, his genius carried all before it, and, as in the oracle of old, the contortions vanished as the inspiration became manifest. His debut in the Imperial Parliament was a bold and hazardous experiment. He had told Flood, and somewhat prophetically, that "an oak of the forest was too old to be transplanted at fifty;" and yet here he was himself!—whether he would take root was the question; and for some moments very questionable it was. When he rose, every voice in that crowded house was hushed—the great rivals, Pitt and Fox, riveted their eyes on him—he strode forth and gesticulated—the hush became ominous—not a cheer was heard—men looked in one another's faces, and then at the phenomenon before them, as if doubting his identity;

at last, and on a sudden, the indication of the master spirit came. Pitt was the first generously to recognise it; he smote his thigh hastily with his hand—it was an impulse when he was pleased—his followers saw it, and knew it, and with a universal burst they hailed the advent and the triumph of the stranger. It was my good fortune frequently to hear him in the English House of Commons. His most important subject was the Catholic question, but, unlike Mr Plunkett, he did not confine himself to it. His rising unexpectedly about two o'clock one morning to speak against an impending war with America, is fresh in my recollection, from the effect which it produced. The attendance was so thin that the house might have been counted out. Members, wearied with a long and dull discussion, were awaiting in the lobbies and refreshment-rooms the welcome summons of the division-bell. It soon, however, became obvious that Grattan was about to make an effort. The word went round, and a simultaneous rush from Bellamy's and the library soon left few places vacant. He was very fine. He is as visible to me now as he was then, when he addressed this characteristic admonition to the Government: "Be satisfied with having gone to war with France, whereby you have made that nation a nation of soldiers. Be not mad enough to go also to war with America, and make that people a people of manufacturers, the one to fight you, and the other—to starve you." Perhaps, however, one of his greatest speeches in England was that on Napoleon's escape from Elba. It is said to have decided the question of peace or war. The character of Burke, skilfully introduced and graphically flung off, seems to me very felicitous. He was fond of digressing into these personal etchings; but, though apparently digressions, they were seldom without a purpose. On such a subject, Burke's was most

appropriate. "On the French subject," said he, "speaking of authority, we cannot forget Mr Burke. Mr Burke, the prodigy of nature and of acquisition. He read everything—he saw everything. His knowledge of history amounted to a power of foretelling; and when he perceived the wild work that was doing in France, that great political physician, cognisant of symptoms, distinguished between the access of fever and the force of health, and what others conceived to be the vigour of her constitution, he knew to be the paroxysm of her madness; and then, prophet-like, he pronounced the destinies of France, and in his prophetic fury admonished nations." It is in the Irish Parliament, however, and in his younger day, that Mr Grattan's finest efforts are to be found. Allusion has been made to his power of invective, the most memorable exercise of which occurs in his contest with Mr Flood. No sketch of Grattan's history, however slight, can exclude the record of this collision. It is the most fierce, bitter, and envenomed contest, between two foremost men, to be found in our Parliamentary annals. Thanks to Mr Henry Grattan, we now have a more correct version of his father's part in it than has hitherto appeared. The received reports had attributed to Mr Grattan vulgarisms which, it turns out, he never uttered. He submitted to them in silence, honourably declining to repeat in print what he really had said under excitement, because his adversary had abstained from doing so. The lapse of time, however, allows his son now to vindicate his parent's memory, which he has admirably done throughout his volumes. Unhappily for Flood, but one relative has essayed to do him justice, and he despondingly laments the loss of precious materials, which were allowed to perish. There is somewhere much to answer for. The collision occurred on the night of the

28th of October 1783, during a debate on a motion of Sir Henry Cavendish recommending retrenchment. Mr Flood, in speaking to the question, had apologised to the House for his deficiencies on the ground of indisposition. Doubtless offended at some expression or allusion, Mr Grattan immediately followed thus :—

" I shall not trouble you long, nor take up the time of the house by apologising for bodily infirmity, or the affectation of infirmity. I shall not speak of myself, or enter into a defence of my character, never having apostatised.

" I think it not necessary for the House now to investigate what we know to be the fact. I think it would be better to go into the business, as the House did upon another occasion, without waiting the formality of the committee's report. As to myself, the honourable reward that a grateful nation has bestowed upon me, for ever binds me to make every return in my power, and particularly to oppose every unnecessary expense. I am far from thinking with the honourable gentleman as to the speech ; and I believe he will find instances where economy has been recommended from the throne, but prodigality practised. This was the case in Lord Harcourt's administration, which had the support of the honourable gentleman ; and therefore he, of all men, cannot be at a loss to reject that illusory economy which has so often appeared in the speeches of lord-lieutenants. With respect to the Genevese, I never could have believed it possible to give the speech such a bias as has been mentioned; and that people will be deceived if they give credit to any declamation that infers, from the words of the speech, anything but an honest economy in applying the public money fairly to their use. The nation has derived great honour from this transaction, and I would be sorry to have it tarnished by inference and insinuation.

"In 1781, when the burthens of the country were comparatively small, I made a motion similar to this: the honourable gentleman then opposed me. I have his sanction now that I was right, and he was wrong; and I say this, that though gentlemen may, for a while, vote against retrenchments, they may at last see the necessity of them. Yet, while I see retrenchment absolutely necessary, I am not very sure that this is just the time to make it in the army—now, when England has acted justly, I will not say generously—now, when she has lost her empire—when she still feels the wounds of the late unhappy war, and comforts herself only with the faithful friendship of Ireland. In 1779, when the liberties of Ireland were denied, and those of America in danger, it was thought unadvisable to retrench our army. There can be no such reason to reduce it now, when both are acknowledged and confirmed. When we voted four thousand men to butcher our brethren in America, the honourable gentleman should have opposed that vote; but perhaps he will be able to explain the propriety of sending four thousand Irishmen thither. But why not look for retrenchment in the revenue and other departments? In my mind, the proper mode would be to form a fair estimate of what would be a reasonable peace establishment, and reduce our several departments to it."

Mr Flood.—"The right honourable gentleman can have no doubt of the propriety of my saying a few words in reply to what he has delivered. Every member of the House can bear witness of the infirmity I mentioned, and therefore it showed but little candour to make a nocturnal attack upon that infirmity. But I am not afraid of the right honourable gentleman: I will meet him anywhere, or upon any ground, by night or by day. I would stand poorly in my own estimation, and my country's opinion,

if I did not stand far above him. I do not come here dressed in a rich wardrobe of words to delude the people. I am not one who has promised repeatedly to bring in a bill of rights, yet does not bring in that bill, or permit any other person to do it. I am not one who threatened to impeach the Chief-Justice of the King's Bench for acting under an English law, and afterwards shrunk from that business. I am not the author of the simple repeal. I am not one who would come at midnight, and attempt, by a vote of this House, to stifle the voice of the people, which my egregious folly has raised against me. I am not the gentleman who subsists upon your accounts. I am not the mendicant patriot who was bought by my country for a sum of money, and then sold my country for prompt payment. I am not the man who, in this House, loudly complained of an infringement made by England, in including Ireland in a bill, and then sent a certificate to Dungannon that Ireland was not included. I never was bought by the people, nor ever sold them. The gentleman says he never apostatised; but I say, I never changed my principles. Let every man say the same, and let the people believe them if they can. But if it be so bad a thing to take an office in the state, how is it that the honourable gentleman is connected with persons in office? They, I hope, are men of virtue, or how came that gentleman so closely connected with Colonel Fitzpatrick? I object to no man for being in office. A patriot in office is the more a patriot for being there. There was a time when the glories of the great Duke of Marlborough shrunk and withered before those of the right honourable gentleman, when palaces superior to Blenheim were to be built for his reception, when pyramids and pillars were to be raised, and adorned with emblems and inscriptions sacred to his virtue. But the pillars and pyramids are now sunk,

though then the great Earl of Chatham was held inferior to him. However, he is still so great, that the Queen of France will, I have no doubt, have a song made on the name of Grattan.

"Lord Harcourt practised economy; but what was the economy of the Duke of Portland? One hundred thousand pounds were voted to raise twenty thousand seamen, though it was well known that one-third of that number could not be raised; and what was the application of the money? It was applied to the raising of the execrated fencibles.

"It is said that I supported Lord Harcourt's administration. That is true; but I never deserted my principles: I carried them into the Cabinet with me. A gentleman who now hears me, knows that I proposed to the Privy Council an Irish mutiny-bill, and that, not with a view of any pecuniary grant. I supported an absentee-tax, and, while I was in office, registered my principles in the books of Government; and the moment I could not influence Government to the advantage of the nation, I ceased to act with them. I acted for myself: I was the first who ever told them that an Irish mutiny-bill must be granted. If this country is now satisfied, is it owing to that gentleman? No; the simple repeal, disapproved and scouted by all the lawyers in England and in Ireland, shows the contrary; and the only apology he can make is, that he is no lawyer at all. A man of warm imagination and brilliant fancy will sometimes be dazzled with his own ideas, and may, for the moment, fall into error; but a man of sound head could not make so egregious a mistake, and a man of an honest heart could not persist in it after it was discovered. I have now done; and give me leave to say, if the gentleman enters often into this sort of colloquy with me, he will not have much to boast of at the end of the session."

MR GRATTAN.—"In answer to the honourable member who spoke last, I am obliged to say something. I shall adhere to order as much as possible: it is much more material to observe decorum towards this House than to retort personalities.

"The charge brought against me of accepting £50,000 from Parliament is not my affair, but yours. You thought my services deserved it. I will not imitate the honourable member by a display of them, nor will I pay you so ill a compliment as to suppose it necessary to justify your unanimous act against any charge of that member.

"With respect to a bill of rights, I mentioned to this House that the English act, then recently passed, called the St Christopher's Bill, did, I apprehended, extend to Ireland; if so, that it was a breach of compact, and made some measure necessary on the part of Ireland; that I requested it to consider, in that case, whether an Irish bill of rights ought not to be introduced, and if that was the sense of the House, that I should propose one. A few days after, I brought the St Christopher's Bill to the House, and submitted whether they conceived it to be an infraction on the part of England; but so far were gentlemen from thinking so, there was not one who spoke in the debate that did not disclaim the idea, and declare the act could not be construed to extend to Ireland, (I must observe that this bill had passed in England before Mr Fox's motion for a repeal of the Declaratory Act;) and so decided against any measure was the House, that a short time after, when a bill of rights was introduced, it was rejected almost unanimously, six men only voting for it. I did not introduce a bill of rights, therefore, because the only ground for it was a supposed infraction, which was denied. I plainly perceived that such a bill was certain to be rejected by the whole House. It was my

duty to give you notice of everything which might be thought an infraction, and then to acquiesce in your judgment. As to the other charge, that I endeavoured by a vote of this House to stifle the voice of the people, it has been basely mis-stated. The motion was, that every man who should, in writing or speech, assert that a right existed, or could be revived, in a foreign legislature, to bind this country, was a public enemy. The words of the motion are the best answer to the charge of empty clamour, which I despise.

"Sir, it is the misfortune of every one who acts a conspicuous public part, to be followed and traduced by men of a malignant and envious mind, who see no merit where they take no part; but it is not the slander of the bad tongue of a bad man that can defame me. I maintain my reputation in public and in private life. No man of character can say I ever deceived him—no country has called me a cheat. Let me suppose such a man—a man whose constant practice was to abuse every person who differed from him, and to betray every man who trusted him. I will begin with him in his cradle and follow him to his last state. I will suppose him in the first period of his political life, intemperate; in his second, corrupt; and in his last, seditious;—that, after a virulent attack upon the persons and government of a succession of Viceroys, he became reconciled to Administration when your expenses were increased, when an embargo was laid on the trade of Ireland, and war declared against the liberties of America. I will suppose this man then to have become silent and to drop the themes of past invective; that, on the great Constitutional question of the Mutiny Bill, when it was made perpetual, he absconded, but in a year and half after the bill had passed, that he exclaimed, we were ruined by a perpetual Mutiny Bill. With respect to

Poyning's law, when money bills were altered session after session, and the altered bill thrown out at one door and introduced at another, I will suppose this man to abscond or acquiesce; yet afterwards, when another gentleman undertook the remedy, I will suppose him to exclaim against the grievance, the remedy, and the man who introduced it. As to the repeal of 6 Geo. I., when the question was debating here, I will suppose him silent about renunciation, and not even to divide; but after the repeal was ready for the Royal assent, that he exclaimed against it, and implored the people to be dissatisfied with freedom, because he was not the man who obtained it, and canvassed even in the public street for sedition. I will suppose that he supported the most prodigal measures of the most prodigal Administration, and opposed retrenchment; that he supported in this House the ruinous embargo of 1776; that, when the inadequate duty on sugar was debating, and an altered sugar bill was passed, he absconded, but in a year or two after exclaimed that we were ruined by it. With respect to the volunteers, I will suppose that he never was a volunteer till he ceased to be a placeman; that he first opposed their institution and afterwards inflamed them—the last of their friends and the first of their enemies. As to America, I will suppose him to have voted four thousand of the Irish army to fight against her, calling those butchers *an armed negotiation;* and thus, with a metaphor in his mouth and a bribe in his pocket, give a base suffrage against the liberty of America, the eventual liberty of Ireland, and the cause of mankind.

"I will suppose this man's honour equal to his oath. I will suppose him an insufferable egotist. I will stop him in his career and say,—Sir, you are mistaken if you think your talents are as great as your life is infamous. We

have seen you a violent opposer of Government, and afterwards on the most trying questions silent—silent for years—and silenced by money; we have seen you haunting this house like a guilty spirit, watching the moment when you should vanish from the question; or you might be descried hovering about this dome like an ill-omened bird of night, with sepulchral note, cadaverous aspect and a broken beak, watching to stop and pounce upon your prey; or, we have detected you hid behind that chair, to avoid a division, or feigning infirmities to excuse your absence. Influenced by place or stung by disappointed ambition, we have seen you pursue a course of manifest duplicity. You can be trusted by no man; the people cannot trust you; the Crown cannot trust you; you have dealt out the most impartial treachery to both, and now you tell the nation she was ruined by others when she was sold by you. You fled from the Mutiny Bill—you fled from the Sugar Bill—you fled from the Six Months Money Bill—I therefore tell you in the face of your country, before all the world, and, to your beard—you are not an honest man."

Mr Flood.—"I have heard a very extraordinary harangue indeed, and I challenge any one to say that anything half so unwarrantable was ever delivered in this House. The right honourable gentleman set out with declaring he did not wish to use personality; and no sooner has he opened his mouth, than forth issues all that venom, that ingenuity and disappointed vanity for two years brooding over corruption, has produced. But it cannot taint my public character. Four-and-twenty years passed in your service have established that; and, as to my private, let that be learned from my tenants, from my friends, from those under my own roof—to those I appeal; and this appeal I boldly make in utter contempt for

insinuations, false as they are illiberal. The whole force of what has been said rests upon this, that I once accepted office, and this is called apostacy; but is a man the less a patriot for being an honest servant of the Crown? As to me, I took as great a part with the first office of the State at my back, as ever the right honourable gentleman did, with mendicancy behind him."

Such was the great Parliamentary gladiatorship between Flood and Grattan; and such another does not stand recorded. How a contention so prolonged and so envenomed should have been permitted to proceed, seems marvellous. For one moment in the course of Mr Flood's reply the Speaker interfered, but his interposition met little countenance. The parties retired unmolested from the House, Mr Flood having made his escape after being arrested. Next day a hostile meeting was appointed, but the Chief Justice's warrant very properly terminated the matter. In a few nights afterwards Mr Flood resumed the subject in his own vindication, and in an admirable speech detailed and justified his political history. Mr Grattan rose to reply, but the entire House, *unâ voce*, at last interposed, and so the affair was set at rest for ever. In connexion with this subject, Mr Grattan's subsequent conduct does him infinite honour. In reply to a pamphlet written by Lord Clare, he thus notices an allusion to Flood:—

"Mr Flood, my rival, as the pamphlet calls him—and I should be unworthy of the character of his rival, if, even in his grave, I did not do him justice—he had his faults, but he had great powers—great public effect. He persuaded the old—he inspired the young. The Castle* vanished before him. On a small subject he was miserable; put into his hand a distaff, and, like Hercules, he

*The seat of the Irish Government.

made sad work of it; but give him the thunderbolt, and he wielded it with the arm of a Jupiter. He misjudged when he transferred himself to the English Parliament. He forgot that he was an oak of the forest, too old and too great to be transplanted at fifty; and his seat in the British Parliament is a caution to the friends of Union to stay at home and make the country of their birth the seat of their action." Mr Grattan himself never disregarded the caution till the legislative Union left him no alternative save that of "transplantation," or remaining out of Parliament altogether. Elaborately vituperative as was his invective against Flood, there is nothing in it more cutting or contemptuous than is contained in a single sentence addressed to one of his more humble revilers. "I shall," said he, "make no other remark on the personalities of the honourable member who has just spoken, than merely to say that, as I believe he rose without a friend, so he has certainly sat down without having made an enemy." Mr Grattan required all the power of sarcasm with which he was so liberally endowed. His public life was one continual warfare. It was not to be expected that the idle mob of parasites who fattened upon public abuses would give way without a struggle. Accordingly he was dogged by spies, and denounced by enemies as a sworn traitor: his pursuits were made the subject of solemn examination before the Privy Council; the privacy of his dwelling was invaded, and his life seriously endangered. Against all his remonstrances, his friends compelled him to evade the storm by a temporary retirement in England. It has since been ascertained, by the testimony of the United Irish leaders, that Mr Grattan never was of their number. As an opponent of evil measures, as an enemy to evil government, he was violent, it is true, even to the utmost licence of opposition; but there he paused. The cham-

pion of Irish independence, he was an advocate for British connexion—a friend to popular privileges, he was no foe to the constitutional prerogative of the sovereign. In proof of this, he was often the object of popular suspicion, and experienced more than once to what a reed he trusts who leans on popularity.

The most interesting epoch of his varied and eventful life was now approaching—that of the legislative Union. It was solemn midnight, in the very height of a debate of feverish excitement; the question was one of life or death to Ireland—a question whether she was to dwindle into a province, or retain her name amongst the nations; the passions of the assembly were mastering its reason; burst after burst of eloquence, inspired by such a theme, was more and more inflaming them, when the wild cheer, and almost frenzied acclamation, were hushed as if by magic, and a spectacle was seen which was not seen without tears—Grattan had that very morning been elected for Wicklow, and was advancing to take his seat. He had just risen from a bed of sickness; and, trembling and attenuated, tottered to his place, supported by two friends. What a scene it was, and what feelings it excited! There he sat, the patriarchal patriot; he who (to repeat himself) had watched by the cradle of Irish independence —there he was, faithful to the last, gasping for breath, as if about to die with it. It was truly a sublime, a mournful, and a touching spectacle. He spoke from his seat—he was too feeble to stand—his voice was weak, his utterance impeded; but as he warmed with the mighty subject, the recollection of his youthful toils and youthful triumphs revived his spirit, and he grew young again. Never was he finer: 1800 saw the Grattan of '82. Will it be believed that such was the moment chosen deliberately to revile and crush him? Mr Isaac Corry, a man of mark

and talent, rashly adventured on the glory of the achievement. He was answered thus :—" My guilt or innocence has little to do with the question before us. I rose with the rising fortunes of my country—I am willing to die with her expiring liberties. To the voice of the people I will bow, but never shall I submit to the caprices of an individual hired to betray them and slander me. The indisposition of my body has left me, perhaps, no means but that of lying down with fallen Ireland, and recording upon her tomb my dying testimony against the flagrant corruption that has murdered her independence. The right honourable gentleman has said that this was not my place; that, instead of having a voice in the councils of my country, I should have been standing as a culprit at her bar—at the bar of a court of criminal judicature to answer for my treasons. The Irish people have not so read my history: but let that pass; if I am what he has said I am, the people are not therefore to forfeit their constitution. In point of argument, therefore, the attack is bad; in point of taste or feeling, if he had either, it is worse; in point of fact, it is false, utterly and absolutely false—as rancorous a falsehood as the most malignant motives could suggest to the prompt sympathy of a shameless and a venal defamer. The right honourable gentleman has suggested examples which I should have shunned, and examples which I should have followed. I shall never follow his, and I have ever avoided it. I shall never be ambitious to purchase public scorn by private infamy; the lighter characters of the model have as little chance of weaning me from the habits of a life, spent, if not exhausted, in the cause of my native land. Am I to renounce those habits now for ever? And at the beck of whom?—I should rather say of what? Half minister, half monkey—a prentice politician, and a master coxcomb. He has told you, what he has said of me here he would

say anywhere. I believe he would say them of me in any place where he thought himself safe in saying so: nothing can limit his calumnies but his fears. In Parliament, he has calumniated me to-night; in the King's courts he would calumniate me to-morrow; but had he said, or dared to insinuate, one-half as much elsewhere, the indignant spirit of an honest man would have answered the vile and venal slanderer with a blow." The parties went instantly from the House to the field. Corry was wounded in the arm. A friend who was present told me the duel took place in the twilight, and that Grattan said, "The gentleman is placed too *far off*—I cannot see him plainly—let him come nearer;" and accordingly he did so.

It would be unjust to Mr Grattan to confine our quotations from his sketches of character to those which he flung off angrily in the excitement of the moment. He was fond of those occasional digressions, and far from averse to giving the bright side of the picture. A few are selected, and they are characteristic and felicitous.

MR FOX.

"The authority of Mr Fox has been alluded to—a great authority, and a great man. His name excites tenderness and wonder. To do justice to that immortal person, you must not limit your view to his country. His genius was not confined to England—it was seen three thousand miles off, in communicating freedom to the Americans; it was visible, I know not how far off, in ameliorating the condition of the Indian; it was discernible on the coast of Africa, in accomplishing the abolition of the slave-trade. You are to measure the magnitude of his mind by parallels of latitude. His heart was as soft as that of a woman—his intellect was adamant."

His etching of a very celebrated contemporary well

deserves a place, not merely for its fidelity and beauty, but because it will introduce to England a character little known here—Dean Kirwan. He had been a Roman Catholic clergyman, but conformed to the Church of England. He was a wonderful orator—one of the greatest that ever filled a pulpit; and yet, when injudicious friends, after his death, published a volume of his sermons, they were scarcely readable! This sounds paradoxical, but it is true. The volume is not remembered: those who heard the preacher never can forget him. It was my happiness to have the opportunity thrice, while a student in the University of Dublin. The church, on those occasions, presented a singular, and, in truth, not a very decorous spectacle. The military were drawn round it, but the scene within baffles all description. A bear-garden was orderly compared with it! The clothes were torn off men's backs—ladies were carried out, fainting or in hysterics—disorder the most unseemly disgraced the entire service, and so continued, till Kirwan reached the pulpit. What a change was there then! Every eye was turned to him—every tongue was hushed—all was solemn silence. His enunciation of the Lord's Prayer was one of the finest things ever heard. Never, before or since, did mortal man produce such wonderful effect. And yet he had his disadvantages to overcome: his person was not imposing, he was somewhat wall-eyed, and his voice at times was inharmonious. But he was a magician. Talk of acting—talk of Garrick, or Kemble, or Kean!—there never was such an actor. He drew tears once from his whole congregation, and, more than that, all the money out of their pockets, by—a single sentence; for he said no more. It was his custom to preach a charity sermon once a-year for the children of St Peter's. The anniversary had arrived. The church, as usual, was crowded to the ceiling. The children, boys and girls,

(some hundreds,) were ranged, as usual, in galleries fronting the pulpit. A rumour had got abroad that Kirwan was taken ill; and it was so. But he appeared to his time, though manifestly enfeebled. He got through the prayer, and, amid dead silence and breathless expectation, stood for a moment mute. His bosom heaved—his whole frame trembled—he looked up to the galleries—his heart seemed breaking, as, with uplifted hands and full eyes, he exclaimed—"My poor, poor children, I am unable to plead your cause!" and sank back into his seat. This was not affectation—restricted by his physicians to preaching a few charity sermons annually, even those efforts proved fatal. No person who has not heard him can have the faintest idea of the effect he produced. People went forearmed against him, prepared with such a sum as they could afford to give, and no more. Fruitless precaution! Next day the vestry-room was crowded with pilgrims coming to redeem the watches and ear-rings they had left upon the plates! There was seldom less than £1200 collected in the church after one of his sermons. I saw the funeral procession of this great orator and philanthropist pass through the streets of Dublin. There was no misplaced pomp to mock the nothingness of man, but the charity children of Dublin, male and female, amounting to some thousands, followed the hearse of their benefactor. It was a sad but beautiful spectacle. People who never heard of Kirwan will read this page with incredulity. Alas! I fear there is much of excellence in Ireland still to be learned here—aught to her disadvantage has been made prominent enough. In the present instance Mr Grattan shall be my witness, and here is his public and striking attestation.

DEAN KIRWAN.

"He called forth the latent virtues of the human heart,

and taught men to discover in themselves a mine of charity of which the proprietors had been unconscious. In feeding the lamp of charity, he exhausted the lamp of life. He came to interrupt the repose of the pulpit, and shake one world with the thunders of another. The preacher's desk becomes a throne of light—around him a train not such as crouch and swagger at the levée of viceroys—horse, foot, and dragoons—but that wherewith a great genius peoples his own state—charity in ecstasy, and vice in humiliation. Not, as with you, in cabinet against the people, but in humiliation. Vanity, arrogance, and saucy empty pride, appalled by the rebuke of the preacher, and cheated for a moment of their native improbity and insolence. What reward? St Nicholas without, or St Nicholas within? * The curse of Swift is upon him—to have been an Irishman, to have been a man of genius, and to have used it for the benefit of his country. Had this man, instead of being the brightest of preachers, been the dullest of lawyers—had he added to dulness, venality—had he augmented the crime of venality by senatorial turpitude, he had been a judge. Or had he been born a blockhead, bred a slave, trained up in a great English family, and handed over as a household circumstance to the Irish Viceroy, he should have been an Irish bishop and an Irish peer, with a great patronage—perhaps a borough—and have returned members to vote against Ireland; and the Irish parochial clergy must have adored his venality, and deified his dulness. But, under the present system, Ireland is not the element in which a native genius can rise, unless he sells that genius to the court, and atones by the apostacy of his conduct for the crime of his nativity." This last sentence seems to have suggested his fine lines to the poet of Ireland—

* Obscure preferments.

> "Unprized are her sons, till they learn to betray;
> Undistinguished they live, if they shame not their sires;
> And the torch that would light them on dignity's way
> Must be caught from the pile where their country expires."

There was another clergyman, a Franciscan friar, upon whom Mr Grattan also bestowed a fine eulogium. It concluded thus—"If I did not know him to be a Christian clergyman, I should suppose him by his work to be a philosopher of the Augustan age of literature." O'Leary was a wise man, and has bequeathed a question on which it behoves Irishmen of all persuasions to ruminate—"Why should religion, which the Almighty meant to be a bond of union amongst us, be turned by ourselves into a wall of separation?" O'Leary was a wit also. It was he who replied to the Protestant bishop of Cloyne on the subject of purgatory—"Well, my good Lord, *you may go farther and fare worse.*"

Passages of great beauty—amongst others, Grattan's classic character of Lord Chatham—crowd upon the memory. Let me most reluctantly conclude with this magnificent extract from his speech on the tithe question:—

"Had the apostles advanced amongst the Jews pretensions to the tenth of the produce of Judea, they would not have converted a less perverse generation. But they were humble and inspired men: they went forth in modest guise, with naked foot, and brought to every man's door, in his own tongue, the true belief: their word prevailed against the potentates of the earth; and, on the ruin of barbaric pride and pontific luxury, they placed the naked majesty of the Christian religion.

"This light was soon put out by its own ministers; and, on its extinction, a beastly and pompous priesthood ascended—political potentates, not Christian pastors—full of false zeal, full of worldly pride, and full of gluttony;

empty of the true religion; to their flock, oppressive; to their inferior clergy, brutal; to their king abject; and to their God, impudent and familiar. They stood on the altar as a stepping-stone to the throne, glozing in the ear of princes, whom they poisoned with crooked principles and heated advice, and were a faction against the king when they were not his slaves—the dirt under his feet—or—the poniard in his heart. Their power went down—it burst of its own plethory, when a poor reformer, with the gospel in his hand, and, with the inspired spirit of poverty, restored the Christian religion." Mr Grattan was three hours in delivering the speech of which the above is a fragment. It astonished all who heard, and cannot fail to instruct, improve, and delight all who peruse it. He was, of course, assailed on all hands as an enemy to the church; but we have lived to see a prime minister of England, and with the assent of Parliament, quintuple the church reductions proposed in that speech!

Of this great man, personally, I knew nothing; a misfortune not lessened by its having been my own fault. I had, however, the honour of an introduction to him from the present Earl of Charlemont. The occasion was memorable, but inauspicious. Shortly after my call to the Irish bar, on returning from court, through Mary Street, I perceived a great mob, apparently in much commotion. It was occasioned by the chairing of Mr Grattan and Sir Robert Shaw after a city election. The former had some time previously grievously offended the Irish patriots, and it was not now forgotten. In a debate on one of those coercion acts, by which an inveterate impolicy even still misgoverns Ireland, he had incautiously declared that there was a French party in that country. No doubt he thought so; and such a declaration coming from such a man, carried the measure. In my belief he was misin-

formed. There had been one, and an important one, in 1798, some remnant of which may have lingered down to 1803, but Robert Emmett's speech towards the close of that year erased every trace of it. The Irish of the subsequent years, down to 1829, were absorbed in the agitation of the Roman Catholic emancipation question, and troubled not their heads about France or Frenchmen. Besides, their then leader was proverbially a very pacific character. However, the expression sank deep and rankled. It was remembered at the election, and a ferocious rabble, chiefly composed of the butchers of Cole's market, determined upon vengeance. They made an occasion of the chairing. That day was very near adding the blackest page to Ireland's history, black enough already. These misguided men, armed with knives and brickbats, had already precipitated Mr Grattan from his car, which was soon torn to atoms. He was on the ground, his hat off, and his white silk stockings slightly sprinkled with blood! A more savage and disgraceful spectacle I never witnessed. He had been hurried by some friends into the house of an upholsterer in Mary Street, where my introduction took place. It is not for me here to enter into details which may be found in all the journals of the day. Mr Grattan's manner was more than kind; and the occurrence afterwards produced an invitation to Tinnehinch, of which, circumstances unfortunately prevented my acceptance. He was greatly moved, but, as it seemed, more at the national disgrace than any personal indignity: and he was right—no disgrace, undoubtedly, affected him. There was a grandeur in his indignation, as he paced up and down the long room, speaking to himself, and occasionally pausing. At last—chafed, apparently, beyond further power of endurance—he suddenly exclaimed, "I will not remain here—I will go forth—I will cast myself upon the bosoms of my

countrymen!" Fortunately for himself—most fortunately for Ireland—he was dissuaded by his friends.

As in Ireland's mirth there is often something of melancholy mingled, so her sadness has occasionally its gleam of sunshine. If the scene within was sufficiently humiliating, it was impossible to keep one's countenance at the one out of doors. The butchers were determined on giving Shaw what they called "a *shilloo*," a sort of Irish ovation, not unlikely to be his last. He was a quiet, well-meaning man, without the least ambition of aspiring to martyrdom. Yet, in sooth, he was on the very brink of it, and entirely out of kindness! The friendly savages, all in their shirt-sleeves, had stopped the chair in which, hat in hand, he stood like a statue, as motionless and as pale as its marble. He was not able even to make a bow to his popularity. No wonder;—now—there was a shout, and such a shout—an Indian warwhoop was music to it; and now there was a shower—an Irishman always throws up his hat when he is happy, but hats they had not—the brick-bats did as well—so up they went in hundreds, and down they came with an increased velocity—"Shaw for ever!"—perpendicular in the midst of them. He was an alderman, but no head could have stood it. However, he miraculously escaped, and spared his countrymen the practical bull of having made a proto-martyr to popularity.

Mr Grattan's political principles were strictly those of Mr Curran, and the only measure which I ever heard him condemn in his friend's conduct was his support of the odious insurrection bill in 1807. He certainly loved him in his heart, and to the day of his death their intimacy was undiminished. Curran's sketch of any one was almost equivalent to an intimacy. He was an admirable mimic, and I have often heard him both act and relate the fol-

lowing anecdote of Mr Grattan's simplicity—a characteristic, the frequent, and indeed the natural accompaniment of genius. One day he and Mr Duquery, an eminent barrister, dined with Mr Curran at the Priory. The water at table was the theme of panegyric, and Duquery said it was the best he ever tasted. The next morning Mr Grattan was missed at the breakfast table; in a few minutes, however, he entered the parlour quite out of breath, his hat off, his hair dishevelled, and a tumbler of water in his hand—"Curran, when Duquery said last night that the water here was the best he ever tasted, I did not choose to contradict him, because the water might have been kept, and I might have done it an injustice: but I have now satisfied myself; here it is, taken fresh out of the well with my own hand, and it's not to be compared to the water at Tinnehinch!" "I declare," added Curran, "he was so serious, you would have thought that the character of his pump involved that of his country."

One evening he left the theatre with a party at the end of the first act of a farce, in which some peasant (Robin Roughhead, I believe) was, much to his delight, persuaded that he was ennobled. At supper, Grattan was observed to be quite abstracted; at length he was heard to say, as if to himself, "I hope they will not undeceive that poor fellow. I hope they will let him die a lord, he was so very happy." In conversation he is described as being delightful. He was fond of etching off a character in a few sentences. Tone in his diary describes him saying of Hussey Burgh: "He fell in love with daisies on his march; he stooped to pick them up and twist them into a garland, which he flung about him, and so entered the field of battle, half a hero and half an opera-dancer."

A friend said once to him of Fitzgibbon, "I think he is

a dangerous man." "Very," said Grattan: "a very dangerous man—to *run away from*."

Arguing on the character of a Protestant bishop, who was said to have strangled a man with his own hands in the rebellion, his antagonist said, "Well, you can't deny that he was learned and pious." "Oh, very," was the reply, "very learned and very pious—but—he was addicted to blood, and prone to intoxication."

Mr Grattan was much attached to Curran, and was fond of speaking of him after we had lost him—"A loss," said he, "that I feel; it has left a blank."

Of Mr Flood, except his part in the controversy which has been cited, scarcely anything remains. There never was a man whose memory owes so little to his friends. His speeches have been misreported and his papers dispersed. Such neglect is not merely an unkindness towards the individual—it is an offence against the country. Yet he was a laborious man, wrote frequently for the press, and had much anxiety respecting his posthumous fame. It is well known that amongst other things he translated some books of Homer, and copied, with alterations and additions by himself, the two last books of the Paradise Lost: it was a favourite amusement of his to read them to his friends. Yet even these have been suffered to perish. Posterity, therefore, will find little to justify a reputation which was unquestionably his due. Curran told me one evening at the Priory that "Flood was immeasurably the greatest man of his time in Ireland,"—a panegyric indeed from one who almost idolised Mr Grattan. The letters of Junius were, singularly enough, ascribed to them both. Grattan was much too young to have written them, but he set the question at rest by a denial under his hand. Flood, on the contrary, seems, from an anecdote related

by Mr Warden Flood, to have rather coquetted with the imputation. It seems his lady was reported to have been his amanuensis. One day sitting with some friends, the conversation turned upon Junius, when she said—"It would save a great deal of trouble if Junius would avow himself, and I really think he should do so." Flood entered at the moment, and had manifestly heard the remark. He sat down, regarding the speaker for a few minutes with grave attention, and then turning to his neighbour, said: "I should like to know your definition of a secret?" "Why," replied the person addressed, "I should call that a secret which is known only to two persons." "No, no," said Flood pointedly, "if it is known to more than one, it ceases to be a secret." This was a weakness; for Mr Henry Grattan has demonstrated by dates and distances that Flood could not have been Junius. He cites an answer to Sir William Draper, which could not in those days have reached London from Ireland, where Flood is proved to have been at the time. Never was paternity more conclusively disproved. However, the last edition of these celebrated letters goes far to establish the supposition that the world is indebted for them to Sir Philip Francis. It may not, perhaps, be out of place here to relate an anecdote of this singular person, which I had from Mrs Ridgway, the wife of the well-known and equally respected publisher in Piccadilly. Francis frequently visited the shop, where the excellent proprietor permitted a daily assemblage of his old political friends. Francis was well known to have been hasty, sensitive, and irritable to excess. He walked in one day, very much excited, and addressed Mrs Ridgway, who happened to be alone—"Pray, madam, have you seen the newspapers much of late? The wretches!—but I don't mind them, not I—the wretches! Now, I have not done one single thing which they ascribe

to me. Ah! but what would the wretches say if they knew I wrote"—the word was all but out. Mrs Ridgway ventured to add it—"Junius, Sir Philip?" and he rushed, almost choked, into the street. This is a remarkable occurrence, and there is no doubt of its authenticity. It is singular that, of a man who so much occupied the public mind, no genuine memorial has appeared. Mr Ridgway assured me that he was personally cognisant of the existence of two large manuscript volumes of his life, compiled and written by himself, and which he highly prized. Their non-appearance is mysterious. Surely, even if they disclosed the great political and literary secret of our day, after such lapse of time, all personal compromise is out of the question. The actors themselves have all passed away, and it is difficult to suggest how their posterity could suffer by the disclosure. A nobleman, who knew Francis well, describes him as having been singularly restless, ever ill at ease, always on the watch for something offensive; which having, very much to his discomfort, found, he sought solace in the contemplation of a posthumous revenge, which appeased him much. On such occasions he exclaimed, "I'll book him, see if I don't book him!"—a menace which could only have reference to some intended publication.

In Mr Grattan's early life he became intimate with Mr Flood at the house of a common friend, in the county of Kilkenny, of which Flood was a native. It is singular to relate that almost all we know of this great man's personal life, and much also of his political, should be derived from the son and able biographer of his rival. So, however, it is. "Mr Flood,* we learn, was of considerable use to Mr Grattan in his early days. He assisted in bringing him forward, and encouraging him to enter public life. They wrote, they argued, they debated

* *Grattan's Life and Times*, by his Son.

together." This is truly curious, considering the occurrences of their future lives. But the authority is unquestionable. Mr Grattan himself thus writes of him at this period:—"Flood is the most easy and best-tempered man in the world, as well as the most sensible. He harangued one morning; he was excellent—your humble servant, execrable, overawed, and ashamed of himself." He was fond of theatricals—then very much the fashion in Ireland—and often acted in a private theatre in the same plays with Mr Grattan.* Devoted also to the sports of the field, he varied its amusements with those of reading, writing, and recitation. A sad misfortune befell him in early life—the death by his hand of a Mr Agar in a duel. It arose out of an election contest, and he was not to blame. His antagonist had been slightly wounded by him in a previous duel; and having thought proper to revive the quarrel, the second and fatal one took place. Agar was shot through the heart. He seems to have been a very intemperate man, and even on the ground could not refrain from language the most insulting and unwarrantable. A bystander says of Flood, "nothing ever was superior to his temper or his steady courage. He has nothing to apprehend from prosecution or from calumny." Prosecute him, however, they did. He was tried for murder at the assizes of Kilkenny, and the jury found a verdict of "manslaughter in his own defence"—a virtual acquittal. It was about this time that Mr Grattan (who, with Flood, was engaged in political and literary warfare with the government of Lord Townshend) wrote his celebrated character of Chatham, a production by many attributed to Burke. Mr Henry Grattan gives the following anecdote on the subject, related by him for the first time. When the character of Chatham was read to the friendly coterie

* Mr Grattan played Macduff to Flood's Macbeth.

by its author, "Sir Hercules Langrishe observed that they should not let that go. 'But how shall we introduce it?' said Flood. Langrishe, whose mind was ever playful, arranged it rather drolly—'I'll settle it thus: We'll put it in a note, as if from Dr Robertson; he is going to publish a new edition of his *America*—that is Chatham's subject; so we shall say we have been favoured with this character of the champion of the colonies.'" They did so, and Robertson's volumes have been often searched for it —of course, in vain. It is a grand production, of which any one might be proud. Mr Flood had a commanding figure, and in his youth a prepossessing countenance, bearing, however, in his manhood, traces of infirmity—a decay which, in his irritation, we have seen Mr Grattan condescending to notice. Perhaps he was not aware, at the time, of the grievousness of the allusion. Flood felt the defect so sensitively, that nothing could induce him to sit for his portrait. There is, however, a striking likeness of him to be found in Barrington's book on the Union; but he never sat for it. Sir Jonah assured me the artist took it by stealth, through the keyhole of a door, the sitter being in total ignorance of the operation.

The success of Single-speech Hamilton, as he was called, though he spoke several times, first called Flood forward. His debut was brilliant; and Provost Hutchinson, who answered, highly complimented him. It is amusingly told of Stone the primate, a stirring and ambitious man, that, as he proceeded, Stone talked of him as likely to make a figure; but finding he sat down without flattering himself, declared he looked on him as "the dullest gentleman he ever heard." "He was,"* says a very adequate critic, who watched his whole career, "a consummate member of parliament. Active, ardent, and persevering,

* HARDY'S *Life of Charlemont.*

his industry was without limits. He was in himself an Opposition, and possessed the talent—in political warfare a most formidable one—of tormenting a minister, and every day adding to his disquietude. In skirmishing, in returning with rapidity to the charge, though at first shaken and nearly discomfited, his quickness, his address, his powers of retort and of insinuation, were never exceeded in Parliament. However, it was from the whole of the campaign that his abilities were to be duly appreciated." Mr Flood's detractors are prone to dwell on what they please to term his failure in the English Parliament. Unquestionably he did not succeed at first to an extent worthy of his previous reputation. But still, failure is too strong a word. He made an inauspicious commencement. It was on one of the great debates on Mr Fox's East India Bill, and after Fox himself, Pitt, and Sheridan had spoken, that, with no previous preparation, he rose for the first time. Having been enfeebled by a severe surgical operation, he had no idea of making more than a few observations, but was induced to proceed by the attention and expectation of the House. He manifestly knew but little of the subject, became diffuse and abstracted, and the result, undoubtedly, was disappointment. He was severely encountered by Courtnay, a sort of ornate jester, in a reply fraught with personal malignity, induced by a slight he had received some years before from Flood in Ireland. It was an unworthy and heartless reprisal, under the circumstances. Flood himself was imprudent. The country was, at that time, divided into two great parties, represented by their two great leaders in the House of Commons. He chose to set up for himself as an independent member, the most helpless of all characters, where party is everything, and an individual, nothing. There was, besides, in the pretension, an assumed superiority and a self-reliance,

difficult of assent, and provocative of envy. His great countryman Burke, giant though he was, knew that House too well to repudiate party support. Flood afterwards complained that he felt himself "unprotected." In truth, there was no one interested in defending him. But, though he could claim nothing from gratitude, as a stranger he had a right to expect something from generosity. He experienced the very reverse. Every engine was employed to depreciate him by the envious, who hated his established reputation, and by the prejudiced, who hated him for his country. It is all but incredible, but it is certain, nevertheless, that he was reproached with being an Irishman! No doubt, men calling themselves patriots have, in a later day, revived this odious spirit, and retorted upon Englishmen the epithet of "Saxon;" but, be he who he may, the encourager of these national antipathies is the enemy of our common country. Where it may offend, matters not—such is my opinion. Flood's history in the Irish House of Commons proved that he was intractable —a man tenacious of his own opinion, and likely, at any moment, to fly off from all control. He explained his rule of action in a few nights after his conflict with Mr Grattan. "With regard," said he, "to Lord Harcourt's administration, the objection is, that I did too much; the charge, with respect to the other, is, I did too little for it. These two accusations running in contrary directions, like a double poison, each may cure the operation of the other. But the fact is this, I acted not upon visions and imaginations, but on sound common sense, the best gift of God to man, which then told me, and still whispers, that some administrations deserve a more active support than others. I did not run headlong against Government at one time, and with it at another, but adapted my conduct, as I ought to do, to what I saw and felt. I

felt myself a man of too much consequence to be a mere placeman. If not a minister to serve my country, I would not be the *tool of salary*. What was the consequence? I voted with them in matters of importance when they were clearly right—I voted against them in matters of importance when they were clearly wrong; and in matters of small moment I did not vote at all — and why? I scorned, by voting for them in such matters, to seem to *pay court*. What remained? Not to vote at all. If you call that absconding, going behind the chair, or escaping into the corridor, call it what you please—I say I was right: this was my plain way of dealing—this was common sense." Such was his own account of the principles which regulated him; and assuredly it was natural enough that even his powerful but uncertain aid should have been postponed for the less doubtful service of inferior partisanship. The above extract is taken from a very able and elaborate vindication of his public life, pronounced by him a few nights after the collision already related. Mr Grattan rose to reply, but the House unanimously interfered, and the dispute was put to rest for ever. He once thus ludicrously affrighted the luckless *whipper-in* of the Irish House, as he crossed him during his speech—"What is that I see! Shall the temple of Freedom be still haunted by the foul fiend of bribery and corruption? I see personified before me an incarnation of that evil principle which lives by the destruction of public virtue!" Flood remained for some years in the English Parliament, and had nearly recovered his ground. He spoke on the French Treaty, and on Parliamentary Reform particularly, with such success, that Mr Pitt declared he would have voted for his plan had it not been for the excited temper of the times. On this last occasion he was answered by Mr Grenville, his reply to whom was considered worthy of his best days, and obtained

the eulogium of Mr Burke. If Flood's testimony be admitted, he has left a miserable picture of political faithlessness in Ireland during his public life. "I have," says he, "been betrayed oftener, when taking an active part in the House of Commons of Ireland, than I think it necessary to state. Except some particular persons—men, indeed, of the most scrupulous and delicate honour—every one to whom I intrusted a parliamentary motion, or a plan of conduct during the session, *almost uniformly betrayed me!*" There seems no reason to doubt it, knowing what we do. They could not have become the proficients in treachery which they proved themselves in 1800, without having served a very industrious apprenticeship. Mr Flood died in 1791.

In 1783, Mr Curran entered Parliament, and joined the Opposition, in whose ranks he remained during the administration of the young and hair-brained Duke of Rutland. So unpopular was this nobleman in Ireland, that on his first presentation at the theatre he was publicly hooted by the populace. His vice-royalty was the scene of much stormy contention, and was of much political importance in the House of Commons, but he was himself wholly devoted to his private pleasures. It was said he was sent to drink the Irish into good humour, and his court was the residence of riot and dissipation. The taste of the Duke himself was by no means the most refined, nor was his demeanour the most dignified in the world. A celebrated courtesan of the name of Peg Plunket occupied his attention much more than the Privy Council, and sometimes unconsciously shared even the honours of royalty. It is a notorious fact, that one evening, losing all recollection in her society, he forgot that he had been accompanied by a guard of honour, and morning dawned upon a troop of dragoons parading before her lodgings in attendance upon

his Excellency! I have heard Curran relate two anecdotes of this woman, which he said were in universal circulation at the time. The Duke had gone in state to the theatre. The whole vice-regal suite was assembled, chamberlain, pages, aides-de-camp, &c. &c. The favourite, as usual, graced the lattices. A fellow in the gallery recognised her, and wishing to mortify the Duke, who was very unpopular, bellowed out most unceremoniously—"Peg, Peg, who was your companion yesterday evening?" "MANNERS, fellow! MANNERS," retorted Peg, affecting to rebuke him. It is unnecessary to add that MANNERS is the name of the Rutland family.

At another time a lady of rank, ignorant of the person to whom she had been referred, went to inquire the character of a dismissed servant. In a short time, however, she discovered her mistake, and was very naturally greatly disconcerted. "Oh," said Peg immediately, with the most perfect *sang froid*, "I beg your ladyship may not be in the least alarmed; I shall let you away through the back door, which I had made *for the accommodation of the bishops.*"

His order of knighthood was comprehensive: the difficulty was how to evade its imposition. In one of his rural progresses, he was weather-bound with his suite at a miserable country inn, kept by one Cripps. The evening had been passed as usual, but not as usual did daylight dawn on Cripps: it revealed a knight, a veritable knight as ever the soberest of Viceroys could have created! What was to be done? Cripps was called in. Two hundred a-year in the customs was to be a substitution for the surrendered dignity. He took time to consider. The deliberation was soon over. There was a power behind the throne greater than the throne itself. To the Duke's horror, the poor man announced that though he was

willing, *Lady Cripps would not hear of it!* And so she lived and died Lady Cripps, the wonder and envy of her village. The Duke died, according to the account of Mr Hardy, Lord Charlemont's biographer, of a fever produced by excessive dissipation, at the age of thirty-three!

As this was the most active part of Mr Curran's parliamentary life, I have selected, as a specimen of his eloquence in the senate, the following speech, delivered on moving an address, and which has not appeared in the published collection :—

"The present is the most awful and important crisis that Ireland ever saw, considering the actual state of the nation, of the empire, and of the war in which we are engaged. As to the original motives of the war, it is not the time to inquire into them ; they are lost in the events : if they had been as pure as they have been represented, how much is it to be regretted that the issue has proved only, that it is not in mortals to command success! The armies of Europe have poured into the field, and surrounded the devoted region of France on every side ; but, far from achieving their purpose, they have only formed an iron hoop about her, which, instead of quelling the fury of her dissensions, has compressed their spring into an irresistible energy, and forced them into co-action. During its progress we saw the miserable objects for whom it was undertaken consumed in nameless thousands, in the different quarters of Europe, by want, and misery, and despair ; or expiring on the scaffold, or perishing in the field. We have seen the honest body of the British manufacturer tumbled into the common grave with the venal carcass of the Prussian hireling ; we have seen the generous Briton submit to the alliance of servitude and venality, and submit to it in vain. The sad vicissitudes of each successive

campaign have been marked by the defeat of our armies, the triumphs of our enemies, and the perfidy of our allies. What was the situation of the contending parties at the beginning of the contest? England, with Spain, with Austria, with Prussia, with Holland, with Ireland on her side; while France had to count the revolt of Toulon, the insurrection of La Vendée, the rebellion of Lyons, and her whole eastern territory in the hands of her enemies. How direful the present reverse! England exhausted, Holland surrendered, Austria wavering, Prussia fled, and Spain fainting in the contest; while France, triumphant and successful, waves a military and triumphant sceptre over an extent of territory that stretches from the ocean and the Rhine to the Pyrenees and the ocean. I will not dwell upon this miserable picture; I will only observe that, during this long succession of disaster and defeat, Ireland alone, of all the allies Great Britain has, neither trafficked, nor deceived, nor deserted. The present distresses of her people attest her liberality of her treasure, while the bones of her enemies and of her children, bleaching upon all the plains of Europe, attest the brilliancy of her courage and the steadfastness of her faith.

"In this state was the war at the commencement of this session. Shortly before that period, it had been thought prudent by his Majesty's ministers in Great Britain to remove the chief governor of this kingdom, and to appoint a successor. Of that successor it would be presumptuous in me to be a panegyrist; of his predecessor, it would be neither consistent with the decorum of the House, nor with my own feelings, to speak with any personal reproach: to the acts of both it is impossible not to advert. That the commencement of this session was a most awful period was stated from the Throne, and admitted by the addresses of both Houses of Parliament: the causes that made it awful were clearly

understood by the new Viceroy—the disasters of the war, and the discontents of the Irish nation. Of those discontents, this House cannot possibly be ignorant, because they cannot be ignorant of the cause — namely, the abuses in our Government. Upon this subject you must see that you have much to redress, and have not a little to atone: your situation is most critical. Your conduct, then, if it can be looked at distinctly from your conduct afterwards, I would consider as highly dignified. Lord Fitzwilliam found it necessary to demand a supply to an unexampled amount; the House felt the necessity, and complied with the demand; but they were the trustees of the nation, and must have felt that so extraordinary an exertion of supply ought to be accompanied by a most extensive measure of redress. They could not, as honest men, give the money of the people, and give a sanction to the continuance of their grievances: they might bestow their own money, if they would, without equivalent; but to act so with the money and the blood of the nation would not have been generosity, but the most abominable dishonesty and fraud: they could give it only upon the terms of redress, and upon those terms only was it demanded by Lord Fitzwilliam, or given by that House. It was inconsistent with the purity of his mind, it was inconsistent with the character which they ought to preserve in the nation, to put this command into express terms: he could not have said to them expressly, I will cure those corruptions which have depressed and impoverished your people—which have enriched the most unworthy, and have been connived at by a majority of yourselves. He could not thus hold them out as criminals and penitents to the nation; it was a compact, therefore, expressed rather by acts than by words. The Viceroy set actually about the reform, and the House

attested their most zealous gratitude and concurrence. Thus did I consider this House as warranted to say to their constituents, We have sent the flower of your population to the standard of the empire; we have sent the protector from his habitation, the mechanic from his trade, and the labourer from his field; we have found you weak, and we have made you weaker; we have found you poor, and we have made you poorer; we have laid a load of taxes upon you, of which for years you must feel the depression; we have laid those taxes so as almost to preclude the attainment of those comforts and decencies of life, without which you can scarcely exist: but we have not sold you, we have not betrayed you; what we have given has been the pledge of your loyalty, and the price of your redemption: by that pledge you have united yourselves to your king, and your posterity with his, for ever; for that price, the grievances and the abuses that depressed you, shall be corrected and redressed. This did I consider to be the meaning of this transaction, as fully as if it had been expressed in the strongest terms of contract or stipulation.

It remains to state what these abuses and these grievances were. They began with the sale of the honour of the peerage—the open and avowed sale, for money, of the peerage, to any man who was rich and shameless enough to be the purchaser. Upon this subject I cannot dwell with too much severity and indignation; it depraved the Commons, it profaned the sanctity of the Lords, it poisoned the sources of legislature and the fountains of justice, it annihilated the very idea of public honour and public integrity; yet this was done by the government of Lord Westmoreland. I have myself, in this House, stated the charge; I have offered to bring evidence to the bar to prove it; I have offered to prosecute the crime at the risk of that punishment which

the law denounces against the false accuser; but that government shrank from the inquiry—the charge was suffocated in the previous question. The truth of the charge was, however, confessed by that very flight from trial. It was like the flight of any ordinary felon in the admission of the guilt. It differed from it in this—it was followed by no forfeiture.

"I go next to the sending of the troops from the country, contrary to law and to compact. That compact, and the provision in the Money Bill, declared that twelve thousand men should be at all times kept up in Ireland for the defence thereof, except in case of actual rebellion in, or invasion of, Great Britain; yet this law was broken by Lord Westmoreland's administration; it was broken in the moment of war, with the enemy at the gate, when the breach of the law might have been the loss of the island. If such a charge of assuming a dispensing power were to be mentioned in the British Parliament, that assembly would turn pale at the bare statement of an assumption of power by which the last of the Stuarts had lost, and meritedly lost, his throne; but I have lived to hear the charge made upon an Irish Viceroy, either not attempted to be denied by his adherents, or admitted by their justification of the fact, yet eluded by the subterfuge of the motion for adjournment. Of such subterfuges I cannot sufficiently express my abhorrence. It is a desertion of the duty which, as the grand inquest of the nation, we owe to the public, thus to smother accusation, and collude with the accused. It cannot save his character, and can only produce a shameful impunity, with the loss of all estimation with ourselves and with our constituents: it invites offence by discouraging accusation. This effect, however, it shall never have with me. I have often before been baffled by this dexterity of evasion, and I cannot be without apprehension that, even this night,

the most disinterested effort of public duty may be hag-ridden under the weight of a previous question; but I will persevere, for I know it is to efforts of this sort, made, no doubt, with very superior talent, but attended with no better success, that Ireland is indebted for the little progress she has made against the torrent of her oppressions. What excuse can be made for the expenditure of an hundred and fifty thousand pounds of the public money, without any sanction whatsoever of law, but advanced to the colonels of new-raised levies, without security or account? I appeal to your own accounts for the truth of the fact; I appeal also to the law touching the issuing of the public money, to prove its criminality. A grant of almost every office, at his departure from the Government, was shamelessly made to his own friends and adherents. I and my friends have, session after session, complained of the pernicious excess of influence, and we were opposed as the invaders of a just and necessary patronage. If Lord Westmoreland thought that patronage necessary, upon what ground could he justify the shameless plunder of it, to the injury of his sovereign, and to the prejudice of his successor? Upon what pretence could he be considered, in his own country, as the friend of the necessary power of his sovereign, when he must be conscious that he had laboured to reduce the influence of that sovereign to a state of the most contemptible imbecility? It is a notorious fact, that he has not left a single office of value in Ireland, of which a reversion could be granted, that he has not put out of the power of the Crown for a number of years to come. And now, I call upon this House, I call upon his friends within it, (if any friends he has within it,) to vindicate him if they can—to deny the fact if they can—to justify it if they can—and to relieve him from the distressing situation

in which he must feel himself, if a fact of this kind shall be admitted and confirmed, while it is screened by the interposition of a previous question. Let me warn you, how you exhibit this anxiety for the prorogation, like the zeal of honest servants, who stand at the windows with their muskets to oppose the executions of creditors, that, when they have beaten off the sheriff, they may steal the furniture themselves.

"I now pass to the subject of the Roman Catholics. I cannot sufficiently recognise their merits, their sufferings, and their claims. I willingly profess myself the apologist of this House for the great concessions which it made in 1793, and for that perfect emancipation to which, in the beginning of the session, it assented with a unanimity interrupted only by the dissent of two honourable members, whose diversity of opinion I cannot but respect and regret, but which I cannot adopt. I need not enforce the injustice, the absurdity, and the danger of denying that emancipation: the question, such as it was, is not left for the discussion of the present session; it has been decided in 1793. By giving the elective franchise, the principle of their full claim was admitted; the man who is constitutionally fit to be a constituent, must be equally so to be a representative. The concessions of 1793 have authorised their pretensions, and put their claims into a progress, which it would be just as easy to stop as it would be the revolution of the heavens or the earth; that measure for which the great mass of the people feel themselves ripe, and demand as the great bond of their union and anchor of their safety, however it may, by sinister interference, be impeded or delayed, cannot be finally withheld or refused; we are pledged to it by our duty to the public, we are now doubly pledged to it for the vindication of our character. The defeating of our so laudable intentions upon this subject was stated

as the reason of the recall of Lord Fitzwilliam. Only see the point of view in which the Commons of Ireland were put by this extraordinary measure. In plain English, Mr Pitt might as well have said, the Lords of Ireland have no will of their own, the Commons of Ireland have no will of their own, they are the representatives only of their wants and of their venality. If Lord Fitzwilliam remains in Ireland, the Catholics will be emancipated; if we send another in his place, that tame and sequacious Parliament will move like puppets by his wires, and the nation will still continue divided and depressed, to the great advantage of English patronage, to the great credit of English justice. Upon this subject I assert that the House, in emancipating the Catholics, would have only ratified the engagement of their previous concessions; I assert that Lord Fitzwilliam has acted wisely by concurring in the performance of that engagement; and it only now remains with the House to vindicate its honour and its character by expressing a becoming resentment at the interference which has frustrated that performance; for where, if such interference is endured, where shall the legislature of Ireland be found? Not in the Commons, not in the Lords, not in the King, but it will be found one and indivisible in the sacred person of an Irish minister.

"There remains to be mentioned one grievance more, of which we expected the redress, and which redress might have justified our extraordinary grants—the unjust and impolitic restraints upon our commerce. Without our own concurrence, those restraints cannot exist an hour; and how, at this moment, could we justify such a concurrence to the people? We are the trustees of that people; we are the trustees of their properties and of their rights; we have only the power of trustees; we have the power to manage,

the duty to defend, but we have neither the power to abuse, to bestow, nor to surrender. Every wise man in this country is now convinced that, with respect to commerce, the old adage, Honesty is the best policy, is peculiarly true; and that the wealth of one country can never be effectually secured by the poverty of another. The first inventions of commerce, like those of all other arts, are cunning and short-sighted, and the perfection of the machine is too generally supposed to consist in the complexity of its wheels: it is only in the course of progressive improvement that they are unfolded with simplicity and comprehension. The abolition, therefore, of these restraints, is what we owe to policy; but we owe it also in common honesty to our constituents. We have loaded their poverty with taxes; we have sent away those whose labour might produce for them the necessaries of life, of which we have thereby doubly diminished the production and increased the price: with what face shall we approach them, if we say that we have done all this without attaining the redress of a single grievance? With what face, if we abandon them in Parliament, shall we turn them over to the tax-gatherer for consolation?

"I know this is no time when the passions of the public ought to be inflamed, nor do I mean to inflame them. (*Here a murmur was heard from the opposite side of the House.*) Yes, I speak not to inflame, but I address you in order to allay the fever of the public mind. If I had power to warn you, I would exert that power in order to diminish the public ferment—in order to show the people that they have more security in your warmth than they can have in their own heat; that the ardour of your honest zeal may be a salutary ventilator to the ferment of your country, in order that you may take the people out of their own hands, and bring them within your guidance. Trust me, at this momentous

crisis, a firm and tempered sensibility of injury will be equally honourable to yourselves, and beneficial to the nation; trust me, if, at a time when every little stream is swollen into a torrent, we alone shall be found to exhibit a smooth and listless and frozen surface, the folly of the people may be tempted to walk across us; and whether they should suppose that they were only walking upon ice, or treading upon corruption, the rashness of the experiment may be fatal to us all. I do, therefore, think it is a time for you to speak out. You granted the property of our constituents—you granted their persons to Great Britain; you did so in a war most unpopular in Ireland, in the disaster of which she might lose everything—in the best event of which she could gain nothing; you embarked yourselves and your country in her cause, and your loyalty and attachment grew with her distresses, and seemed to rise upon her defeats; you did so upon the faith that the grievances under which she laboured, and the abuses of which she complained, would, under the administration of a Viceroy in whose virtues and character you could not but confide, have been redressed; your honest confidence has been defrauded, and your honest zeal insulted with a blow; your grants have been accepted—I think dishonestly accepted.

"The Viceroy, in whom your addresses attested your so just and unlimited a confidence, while he was employed in the correction of those abuses, was recalled in a manner the most ignominious, not to him (for the bold and simple and manly integrity of a conduct, directed by a mixed regard to prudence, to loyalty, and to justice, placed him far above the aspersion of low intrigue or interested cabal,) but in a manner most ignominious to you: it is a reproach which he may repel by silent and contemptuous disdain; but it is an ignominy which you will adopt by silence,

and which you can only repel by speaking out. The measures for which your constituents paid the most invaluable purchase, have been most impudently intercepted in their progress; you owe it, therefore, to Lord Fitzwilliam —you owe it to yourselves—you owe it to your country—you owe it to the British nation, to speak out. Already has too much been sacrificed to your submission to ministers; let me advise you now to make some atonement by consulting the interests of your King and your country. Do not meanly flatter those ministers with an idea that their insolence does not, and must not, damp the zeal and alienate the affections of a loyal, a proud, a brave, and an injured people; do not dishonestly lead that beloved and justly beloved Sovereign into the fatal delusion of supposing that Ireland either does or can glow with the same affection, or beat with the same ardour, if these indignities shall continue to be wantonly inflicted upon her; do not be guilty of keeping Great Britain in ignorance of the exact disposition of the last ally whose fidelity has survived this eventful war; state to her honestly the sentiment of your country, a sentiment which you can attest, but which you cannot control—that Ireland, even in the hour of British adversity, remembers and plights anew her solemn covenant of 'standing and falling with the British nation,' but that she remembers too it is a covenant of 'equal fate,' upon the terms of 'equal liberty;' that it is a covenant which Ireland is to cement with her blood, but which Great Britain must ratify with her justice."

The following passages from his speech upon pensions I have also extracted, which the reader will find well worthy his perusal. They are admirable specimens of grave and sarcastic humour.

"This polyglott of wealth, this museum of curiosities, the pension list, embraces every link in the human chain,

every description of men, women, and children, from the exalted excellence of a Hawke or a Rodney, to the debased situation of the lady who humbleth herself that she may be exalted. But the lessons it inculcates form its greatest perfection: it teaches that sloth and vice may eat that bread which virtue and honesty may starve for, after they had earned it: it teaches the idle and dissolute to look up for that support which they are too proud to earn: it directs the minds of men to an entire reliance on the ruling powers of the state, who feed the ravens of the royal aviary that continually cry for bread: it teaches them to imitate those saints on the pension list that are like the lilies of the field—they toil not, neither do they spin, and yet are arrayed like Solomon in all his glory: in fine, it teaches a lesson, which indeed they might have learned from Epictetus, that it is sometimes good not be over-virtuous; it shows, that in proportion as our distresses increase, the munificence of the Crown increases also—in proportion as our clothes are rent, the royal mantle is extended over us. But, notwithstanding, the pension list, like charity, covers a multitude of sins. Give me leave to say, (it is coming home to the members of this House)—give me leave to say, that the Crown, in extending its charity, its liberality, its profusion, is laying a foundation for the independence of Parliament; for hereafter, instead of orators or patriots accounting for their conduct to such mean and unworthy persons as freeholders, they will learn to despise them, and look to the first man in the state; and they will, by so doing, have this security for their independence, that while any man in the kingdom has a shilling, they will not want one. Suppose, at any future period of time, the boroughs of Ireland should decline from their present flourishing and prosperous state; suppose they should fall into the hands of men who would wish to drive

a profitable commerce by having members of Parliament to hire or let: in such a case a secretary would find great difficulty if the proprietors of members should enter into a combination to form a monopoly; to prevent which in time, the wisest way is to purchase up the raw material, young members of Parliament, just rough from the grass, and when they are a little bitted, and he has got a pretty stud, perhaps of seventy, he may laugh at the slave-merchant. Some of them he may teach to sound through the nose like a barrel organ; some, in the course of a few months, might be taught to cry, 'Hear, hear'; some, 'Chair, chair,' upon occasion, though those latter might create a little confusion if they were to forget whether they were calling inside or outside those doors. Again, he might have some so trained, that he need only pull a string, and up gets a repeating member; and if they were so dull that they could neither speak nor make orations —for they are different things—he might have them taught to *dance—pedibus ire in sententiam.* This improvement might be extended—he might have them dressed in coats and shirts all of one colour, and of a Sunday he might march them to church two and two, to the great edification of the people, and the honour of the Christian religion; afterwards, like the ancient Spartans, or the fraternity at Kilmainham, they might dine together in a great hall! Good heaven! what a sight! to see them feeding together in public, upon the public viands, and talking of public subjects for the benefit of the public. It is a pity they are not immortal, but I hope they will flourish as a corporation, and that pensioners will beget pensioners to the end of the chapter."

There are in these two speeches passages very characteristic of his mind, but by no means producing the same impression conveyed by a perusal of his forensic exertions.

It is indeed a universal remark, that in the senate, as an orator, he fell infinitely beneath his estimation in the forum. This opinion has been by some attempted to be generalised, and a critical interdict passed upon the capability of barristers in the Houses of Parliament. It is said there is a something in the profession of the law which dims the intellect, and makes the mental eye, as it were, too microscopic for the contemplation of enlarged and general subjects. On this argument a barrister must be supposed too much interested to deliver a competent opinion ; but certainly it strikes me that experience has by no means justified the supposition. At this very day, Sir Samuel Romilly in England, and Mr Plunket in Ireland, are two splendid and prominent exceptions. To these may now be added three more, of whose friendship I am proud,—Mr Brougham, Sir William Follett, and Mr Shiel. I was intimate enough with Mr Curran to allude to the subject, and took the liberty of asking whether he thought the Irish Parliamentary reporters had done him justice. The answer which he gave me was, "Whether the Parliamentary reporters have done justice to my efforts in the House of Commons it is not for me to say, but that the public have not, I am certain. You must consider that I was a person attached to a great and powerful party, whose leaders were men of importance in the state, totally devoted to those political pursuits from whence my mind was necessarily distracted by studies of a different description. They allotted me my station in debate, which being generally in the rear, was seldom brought into action till towards the close of the engagement. After having toiled through the Four Courts for the entire day, I brought to the House of Commons a person enfeebled and a mind exhausted. I was compelled to speak late in the night, and had to rise early for the Judges in the morning: the

consequence was, my efforts were but crude; and where others had the whole day for the correction of their speeches, I was left at the mercy of inability or inattention." Such was the excuse which he himself gave for the comparative inferiority of those productions; and to an impartial mind it is quite satisfactory. In the House of Commons, however, the keenness of his sarcasm and the ridicule of his wit naturally produced him many enemies. Amongst these, by far the most powerful, the most inveterate, and the most persevering, was John Fitzgibbon, afterwards Earl of Clare and Lord High Chancellor of Ireland. It is scarcely possible to conceive any feeling more violent than the animosity which this personage entertained towards Mr Curran, an animosity which first assailed his character, then his person, and finally, in his own court but too successfully, his professional practice. He was dead long before I could form any personal opinion of him, and therefore I am justified in gratifying the reader by again resorting to Sir Jonah Barrington's superior talents for his character.

"John Fitzgibbon, the second son of his father, was called to the bar in 1772. Naturally dissipated, he for some time attended but little to the duties of his profession; but on the death of his elder brother and his father, he found himself in possession of all those advantages which led him rapidly forward to the extremity of his objects. Considerable fortune, professional talents, extensive connections, and undismayed confidence, elevated him to those stations on which he afterwards appeared so conspicuously seated; while the historic eye, as it follows his career, perceives him lightly bounding over every obstacle which checked his course, to that goal where all the trophies and thorns of power were collected for his reception.

"From his advancement Ireland computed a new epocha. The period of his life comprised a series of transactions, in the importance of which the recollection of former events was merged and extinguished. To the character of Lord Clare may be traced the occult source of heretofore inexplicable measures; in his influence will be found the secret spring which so often rendered the machine of Irish government rapid and irregular; and as we pass along through those interesting scenes which distinguished Ireland for twenty years, we often anticipate his counsels, and as often mourn the result of our anticipation.

"In the Earl of Clare we find a man eminently gifted with talents adapted either for a blessing or a curse to the nation he inhabited; but, early enveloped in high and dazzling authority, he lost his way; and considering his power as a victory, he ruled his country as a conquest. Warm but indiscriminate in his friendships, equally indiscriminate and implacable in his animosities, he carried to the grave the passions of his childhood, and has bequeathed to the public a record,* which determines that trait of his varied character beyond the power of refutation.

"He hated powerful talents, because he feared them; and trampled on modest merit, because it was incapable of resistance. Authoritative and peremptory in his address; commanding, able, and arrogant in his language; a daring contempt for public opinion seemed to be the fatal principle which misguided his conduct; and Ireland became divided between the friends of his patronage, the slaves of his power, and the enemies to his tyranny.

"His character had no medium, his manners no medio-

* His Lordship's last will, now a record in the prerogative office of Dublin, a most extraordinary composition of hatred and affection, piety and malice, &c.

crity: the example of his extremes was adopted by his intimates, and excited in those who knew him feelings either of warm attachment or of riveted aversion.

"While he held the seals in Ireland, he united a vigorous capacity with the most striking errors. As a judge, he collected facts with a rapid precision, and decided on them with a prompt asperity. Depending too much on the strength of his own judgment and the acuteness of his own intellect, he hated precedent, and despised the highest judicial authorities, because they were not his own.

"Professing great control over others, he assumed but little over himself; he gave too loose a rein to his impressions, consequently the neutrality of the judge occasionally yielded to the irritation of the moment; and equity at times became the victim of despatch, or a sacrifice to pertinacity.

"The calm dignity of a high and elevated mind, deriving weight from its own purity, and consequence from its own example, did not seem the characteristic of the tribunal where he presided; and decorum was preserved, less by a respect for his person than a dread of his observation; for he disliked presumption in every person but himself, and discountenanced it in everybody but those whom he patronised.

"He investigated fraud with assiduity, and punished it with rigour; yet it was obvious that, in doing so, he enjoyed the double satisfaction of detecting delinquency, and of gratifying the misanthropy of a habitual invective; for never did he poise the scale without also exercising the sword of justice.

"Yet in many instances he was an able, and in many a most useful, judge; and though his talents were generally overrated, and many of his decisions condemned, it may be truly said that, with all his failings, if he had not

been a vicious statesman, he might have been a virtuous chancellor.

"Though his conversation was sometimes licentious and immoral, and always devoid of refined wit and of genuine humour, yet in domestic life he had many meritorious and some amiable qualities — an indefatigable and active friend, a kind and affectionate master, an indulgent landlord, liberal, hospitable, and munificent. He possessed the seed of qualities very superior to those which he cultivated; and in some instances evinced himself susceptible of those finer sensations which, if their growth had been permitted in his vigorous and fertile mind, might have placed him on the very summit of private character. But unfortunately his temper, his ambition, and his power, seemed to unite in one common cause to impede and stunt the growth of almost every principle which would have become a virtue.

"As a politician and a statesman, the character of Lord Clare is too well known, and its effects are too generally experienced, to be mistaken or misrepresented. The era of his reign was the downfall of his country; his councils accelerated what his policy might have suppressed, and have marked the annals of Ireland with stains and miseries unequalled and indelible.

"In council Lord Clare, rapid, peremptory, and overbearing, regarded promptness of execution rather than discretion of arrangement, and piqued himself more on expertness of thought than sobriety of judgment. Through all the calamities of Ireland, the mild voice of conciliation never escaped his lips; and, when the torrent of civil war had subsided in his country, he held out no olive to show that the deluge had receded.

"Acting upon a conviction that his power was but coexistent with the order of public establishments, and the

tenure of his office limited to the continuance of administration, he supported both with less prudence and more desperation than sound policy or an enlightened mind should permit or dictate. His extravagant doctrines of religious intolerance created the most mischievous pretexts for his intemperance in upholding them; and, under colour of defending the principles of one revolution, he had nearly plunged the nation into all the miseries of another.

"His political conduct has been accounted uniform, but in detail it will be found to have been miserably inconsistent. In 1781 he took up arms to obtain a declaration of Irish independence; in 1800 he recommended the introduction of a military force to assist in its extinguishment; he proclaimed Ireland a free nation in 1783, and argued that it should be a province in 1799; in 1782 he called the acts of the British Legislature towards Ireland *'a daring usurpation on the rights of a free people;'** and in 1800 he transferred Ireland to the usurper. On all occasions his ambition as despotically governed his politics as his reason invariably sank before his prejudice."

Such, according to this able writer, is an accurate description of Lord Clare—a description from the pen of one who knew him well, and considered, at all events, to be an impartial one. During the administration of the Duke of Rutland, a requisition had been addressed to a Mr Reilly, one of the sheriffs of Dublin, requiring him to call a meeting for the election of members to serve in a conventional congress, the object of which was to effect a reform in the popular representation. Mr Fitzgibbon, then attorney-general, had the sheriff attached for his

* In his lordship's answer to the address of Dublin University, on the 14th of April 1782, upon the declaration of rights, he used these words; and added, that "he had uniformly expressed that opinion both in public and in private."

compliance with this order—which proceeding originated a discussion in the House of Commons, on the motion of the Honourable William Brownlow. This question of attachments caused considerable disquisition both in England and in Ireland; and was argued, particularly in the Irish House, with great zeal and learning. When, however, Mr Curran rose to speak to it, the attorney-general, whose professional as well as political character was chiefly involved in the debate, either really was, or affected to be, asleep upon the benches. "I hope," said Mr Curran, naturally enough indignant at such contemptuous apathy, "I hope I may be allowed to speak to this great question without disturbing the sleep of any right honourable member, and yet perhaps I ought rather to envy than to blame his tranquillity. I do not feel myself so happily tempered as to be lulled to rest by the storms that shake the land; but if they invite rest to any, that rest ought not to be lavished on the guilty spirit." He then went on to argue the question at considerable length; and when he had sat down, the attorney-general, after having attempted an answer to his arguments, concluded by desiring that "no *puny babbler* should attempt, with vile unbounded calumny, to blast the judges of the land." This called up Mr Curran again, who retorted on him as follows:—

"The gentleman has called me a *babbler*. I cannot think that is meant as a disgrace, because in another Parliament, before I had the honour of a seat in this house, and when I was in the gallery, I have heard a young lawyer called *Babbler*—the Attorney-General. I do not indeed recollect that there were sponsors at the baptismal font, nor was there any occasion, as the infant had promised and vowed so many things in his own name. Indeed, sir, I find it difficult to reply, for I am not

accustomed to pronounce a panegyric on myself. I do not well know how to do it ; but since I cannot tell the House what I am, I will tell them what I am not. I am not a young man whose respect in person and character depends upon the importance of my office—I am not a man who thrusts himself into the foreground of a picture which ought to be occupied by a better figure—I am not a man who replies by invective when sinking under the weight of argument—I am not a man who denied the necessity of parliamentary reform at a time I proved the expediency of it, by reviling my own constituents, the parish clerk, the sexton, and the grave-digger ; and if there is any man who can apply what *I am not* to *himself*, I leave him to think of it in the committee, and contemplate it when he goes home."

In a former edition of this work, I had supposed that the duel between Fitzgibbon and Curran had been consequent on this debate. It was not so, but resulted from an attack made by the former during the discussion on Orde's propositions in 1785. It was supposed the Attorney-General was instigated to it by the Castle, and Curran called it "*an exhibition by command.*" The following is the scene :—

Mr FITZGIBBON.—"The politically insane gentleman has asserted much, but he only emitted some effusions of the witticisms of fancy. His declamation, indeed, was better calculated for the stage of Sadler's Wells than the floor of the House of Commons. A mountebank, with but one-half of the honourable member's talent for rant, would undoubtedly make his fortune. However, I am somewhat surprised he should entertain such a particular asperity against me, as I never did him a favour. But perhaps the honourable gentleman imagines he may talk himself into consequence ; if so, I should be sorry to obstruct his pro-

motion; he is heartily welcome to attack me. Of one thing only I will assure him, that I hold him in so small a degree of estimation, either as a man or as a lawyer, that I shall never hereafter deign to make him any answer."

Mr CURRAN.—"The honourable gentleman says I have poured forth some witticisms of fancy. That is a charge I shall never be able to retort upon him. He says I am insane. For my part, were I the man who, when all debate had subsided—who, when the bill was given up, had risen to make an inflammatory speech against my country, I should be obliged to any friend who would excuse my conduct by attributing it to insanity. Were I the man who could commit a murder on the reputation of my country, I should thank the friend who would excuse my conduct by attributing it to insanity. Were I a man possessed of so much arrogance as to set up my own little head against the opinions of the nation, I should thank the friend who would say, 'Heed him not, he is insane!' Nay, if I were such a man, I would thank the friend who had me sent to Bedlam. If I knew one man who was 'easily roused and easily appeased,' I would not give his character as that of the whole nation. The right honourable gentleman says he never came here with written speeches. I never suspected him of it, and I believe there is not a gentleman in the House who, having heard what has fallen from him, would ever suspect him of writing speeches. But I will not pursue him further. I will not enter into a conflict in which victory can gain no honour."

It should be mentioned that the cause of this altercation was Curran's animadversion upon a phrase of Fitzgibbon's, that "Ireland was a nation easily roused and easily appeased." Now, Flood had said of this, that "he had never heard more inflammatory nonsense, or more saucy folly." Yet such provocation was overlooked, and Curran

was selected, because, in the phrase of the complainant himself, he "had emitted some witticisms of fancy." In fact, this was but the commencement of a series of hostilities, arising from a rancorous personal hatred on the part of Fitzgibbon. He immediately sent Mr Curran a message; and the parties having met, were left to fire when they chose. "I never," said Mr Curran, when relating to me the circumstances of that meeting, "I never saw any one whose determination seemed more malignant than Fitzgibbon's. After I had fired, he took aim at me for nearly half a minute; and on its proving ineffectual, I could not help exclaiming, 'It was not your fault, Mr Attorney; *you were deliberate enough.*'" The Attorney-General's honour was then declared to be satisfied, and here, at least for the present, the dispute appeared to terminate.

Not here, however, terminated Fitzgibbon's animosity. His zeal, his politics, his exertions on the subject of the Regency, and his unquestionable abilities, raised him to the seals on the resignation of Lord Lifford, during whose judicial life Curran was rising rapidly to the fame and emoluments of the Chancery practice. From the moment of his elevation, Lord Clare on every occasion exhibited his hatred of the politician by his neglect of the advocate. At length the agents observed this marked hostility—the ear of the Judge, as it is called, was lost—the client participated in the unpopularity of his counsel, and Curran's practice was soon confined exclusively to Nisi Prius. "I made," said Mr Curran, in a letter addressed to Mr Grattan twenty years after, "I made no compromise with power. I had the merit of provoking and despising the personal malice of every man in Ireland who was the known enemy of the country. *Without* the walls of the courts of justice, my character was pursued with the most

persevering slander; and within those walls, though *I was too strong to be beaten down by any judicial malignity, it was not so with my clients;* and my consequent losses in professional income have never been estimated at less, as you must have often heard, than £30,000." The incidents attendant upon this disagreement were at times ludicrous in the extreme. One day, when it was known that Curran was to make an elaborate argument in Chancery, Lord Clare brought a large Newfoundland dog upon the bench with him, and during the progress of the argument he *lent his ear* much more to the dog than to the barrister. This was observed at length by the entire profession. In time the Chancellor lost all regard for decency: he turned himself quite aside in the most material part of the case, and began in full court to fondle the animal. Curran stopped at once. "Go on, go on, Mr Curran," said Lord Clare. "O! I beg a thousand pardons, my Lord: I really took it for granted that your Lordship was *employed in consultation.*"

At length, however, the day arrived, when Curran, roused to the highest possible pitch of exasperation, took an ample and almost unparalleled revenge upon his adversary. In the year 1790, a dispute arose between the Sheriffs of Dublin and the Common Council on the one part, and the Court of Aldermen on the other, as to the right of electing a lord mayor.

MR CURRAN.—"In this very chamber did the Chancellor and judges sit, with all the gravity and affected attention to arguments in favour of that liberty and those rights which they had conspired to destroy. But to what end, my Lords, offer arguments to such men? A little and a peevish mind may be exasperated, but how shall it be corrected, by refutation? How fruitless would it have been to represent to that wretched Chancellor that he was

betraying those rights which he was sworn to maintain; that he was involving a Government in disgrace, and a kingdom in panic and consternation; that he was violating every sacred duty, and every solemn engagement, that binds him to himself, his country, and his God? Alas, my Lords! by what argument could any man hope to reclaim or to dissuade a mean, illiberal, and unprincipled minion of authority, induced by his profligacy to undertake, and bound by his avarice and vanity to persevere? He probably would have replied to the most unanswerable arguments by some curt, contumelious, and unmeaning apothegm, delivered with the fretful smile of irritated self-sufficiency and disconcerted arrogance; or, even if he could be dragged by his fears to a consideration of the question, by what miracle could the pigmy capacity of a stunted pedant be enlarged to a reception of the subject? The endeavour to approach it would have only removed him to a greater distance than he was before, as a little hand that strives to grasp a mighty globe is thrown back by the reaction of its own effort to comprehend. It may be given to a Hale or a Hardwicke to discover and retract a mistake: the errors of such men are only specks that arise for a moment upon the surface of a splendid luminary; consumed by its heat, or irradiated by its light, they soon disappear: but the perverseness of a mean and narrow intellect are like the excrescences that grow upon a body naturally cold and dark: no fire to waste them, and no ray to enlighten, they assimilate and coalesce with those qualities so congenial to their nature, and acquire an incorrigible permanency in the union with kindred frost and kindred opacity. Nor, indeed, my Lords, except where the interest of millions can be affected by the vice or the folly of an individual, need it be much regretted that to things not worthy of being made better it hath not

pleased Providence to afford the privilege of improvement."

LORD CHANCELLOR.—"Surely, Mr Curran, a gentleman of your eminence in your profession must see that the conduct of former privy-councils has nothing to do with the question before us. The question lies in the narrowest compass: it is merely whether the Commons have a right of arbitrary and capricious rejection, or are obliged to assign a reasonable cause for their disapprobation. To that point you have a right to be heard, but I hope you do not mean to lecture the Council."

Mr CURRAN.—"I mean, my Lords, to speak to the case of my clients, and to avail myself of every defence which I conceive applicable to that case. I am not speaking to a dry point of law, to a single judge, and on a mere forensic subject; I am addressing a very large auditory, consisting of co-ordinate members, of whom the far greater number are not versed in the law. Were I to address such an audience on the rights and interests of a great city, and address them in the hackneyed style of a pleader, I should make a very idle display, with very little information to those that I address, or benefit to those on whose behalf I have the honour to be heard. I am aware, my Lords, that truth is to be sought only by slow and painful progress; I know also that error is in its nature flippant and compendious; it hops with airy and fastidious levity over proofs and arguments, and perches upon assertion, which it calls conclusion."

It was clear enough that, under the name of Sir Constantine Phipps, the Chancellor was designated. When he himself unguardedly recognised the likeness,* he could scarcely blame the world for admitting its fidelity. Never, perhaps, was there a public man in any country assailed

* He cleared the Court.

more bitterly during his life, and after his death, than Lord Clare. While he was here to confront his enemies, which he did most fearlessly, and to meet their charges, perhaps this was matter of course; but a generous hostility would have paused when his lips were closed for ever. With little desire to become either his apologist or panegyrist, I have even less to become his reviler. By what right shall any man assume that Lord Clare was not sincere in his convictions? and therefore by what right shall we misinterpret his motives? It has ever been the sin of Ireland to confound men and measures, and to brand the person, where his policy has been disapproved. This seems to me unjust. As a minister, no doubt, he incurred his responsibility; and there can be no doubt, either, that he never evaded it; but it was not fair to visit on the man the imputed impolicy of the minister. In the minds of many, (with all the experience of the interval,) even in this day, Lord Clare was right; but, right or wrong, why should we assume that he went wrong designedly? For instance, he thought it for the interest of both countries that Ireland should remain dependent upon England; there are able men and honest men who think so to this hour. He opposed the claim of the Roman Catholic to emancipation, and some of our greatest statesmen coincided in the opinion. He aided effectually the accomplishment of the Union; and who will say that the conduct of the Irish Parliament on the regency question (if it stood alone) did not render it imperative? He may have been mistaken, but that is no reason for indiscriminate obloquy. This is not meant to be a political work, though of necessity introducing characters eminent in politics; but though opinion is withheld as to their principles, impartiality in delineating them is a sacred duty. Let us see, therefore, whether some of the brighter

colours may not be appropriately employed upon this portrait. Barrington admits the ardour and fidelity of Fitzgibbon's friendship. He has not added that he could be generous even to his enemies—doubtless through forgetfulness, for Sir Jonah was a fair man. Of Archibald Hamilton Rowan mention must be made hereafter, so he shall be touched on here only in connection with the Chancellor. No two persons could be more apart in politics than the convict for sedition and the Tory minister. It will be seen hereafter that, when Rowan was in prison under sentence for misdemeanour, a charge of high-treason was preferred against him. His lady, a truly noble-hearted woman, had been nurtured in the lap of luxury, and was now, with their eight children, menaced with starvation. Clare commiserated her, ultra though he was, and the wife of his enemy though she was. He wrote to her, when in the extreme of her misery, to say that, though her husband's trial must proceed, still all his interest should be exerted to preserve the estates for her and her family. It is matter of history that Rowan escaped from prison. Clare gave Mrs Rowan letters, by which passports to enable her to join him were facilitated. He did more: We find* Lord Castlereagh subsequently writing to her that, "*in consequence of the favourable report made by Lord Clare of his conduct in America,*" he should be secured in the refuge granted him in Denmark or elsewhere, as far as his Majesty's government was concerned. Clare did not stop here. He obtained Rowan's pardon, the reversal of his attainder, and the restoration of his estates, seven or eight thousand a-year. He judged Rowan rightly: he was an enthusiast, mistaken or misled, but he was at heart loyal. Surely conduct such as this deserves a place on the credit side of the account. It

* Rowan's Autobiography.

is also indisputable that he did all in his power to check the unfortunate Lord Edward Fitzgerald in his desperate career, and to avert its inevitable consequences. Apprised as Government was, of all his plans and treasonable preparations, the Chancellor forewarned his friends, offering admonition, and almost amnesty, if he even then desisted.* "Will nobody," he wrote, "reason with that rash young man? Will nobody induce him even now to leave the kingdom? I pledge myself *every port shall be left open to him.*" Rash he remained, and on the very eve of the rebellion received his death-wound from the police while desperately resisting his capture. While he lay in Newgate, writhing under that wound, his aunt, the Lady Louisa Conolly, obtained an audience of Lord Camden, then Lord-Lieutenant, but could not obtain its object, an order of admission to her dying nephew. In her agony she thought of the Lord Chancellor, and drove directly to his house. He happened to have company, and dinner was hardly over. He went out, however, instantly to her carriage; heard her request, and was almost overwhelmed by her emotion. "Lady Lousia," said he, at last, after some moments' thought, "to grant the order you solicit, is quite out of the question. We have so decided in council. But you are a female and a near relative—I know of no decision which prohibits *my accompanying you.*" And he did so, and remained patiently for three hours, in an outer apartment of the prison, while she wept and prayed beside the victim of a wild and ill-fated enthusiasm. Surely the man's heart was in the right place, of whom this can be narrated.

Lord Edward died soon after, raving mad. He was idolised by his followers. Many years after his death, I saw a respectable-looking farmer gazing most earnestly after

* Moore's Life of Lord E. Fitzgerald.

a youth who was riding down Sackville Street. His eyes soon filled with tears. Struck with the scene, I asked him who the young man was. "*Lord Edward's son*, sir," was the answer. Poor fellow, he thought every one must know Lord Edward!

Another trait of the Lord Chancellor I may almost say I know—so unquestionable is the authority. When informed by his physicians that all hope was over, he sent for his lady. "I have but one request to make of you," said he, "it is that you will burn all my papers: should they remain after me, *hundreds may be compromised.*" He was implicitly obeyed, and this, his kind solicitude for others, has left himself without a biographer. Clare's public character is, no doubt, fairly dealt with by Barrington. The following graphic sketch of his qualifications for the woolsack is from a far less impartial artist. It is at all events amusing; and, being contemporaneous, is worthy of preservation:—"Wolfe," says Tone in his diary, "is the Chancellor's private tutor in legal matters. Fitzgibbon has read Coke upon Lyttleton under his papa. He has a very intelligent clerk to note his papers—he has Boyd to hunt his cases—and he has some talents, great readiness and assurance, and—there is Fitzgibbon."

To those who ascribe all the evils of Ireland to the Union, Mr Fitzgibbon's description of the province of Munster, the chief province in Ireland, in 1787—after, be it observed, the Free-trade Bill had been carried—may not be without its advantage. Here is Munster under a resident parliament:—"I am well acquainted with that province, and I say it is impossible for human wretchedness to exceed that of its miserable tenantry. I know that the unhappy tenants are ground to powder by relentless landlords."

So much for one province; and now for the whole coun-

try :—"This island is supposed to contain three millions of inhabitants. Of these, two live like the beast of the field upon a root picked out of the earth, almost without hovels for shelter, or clothes for covering: what mode of taxation can be devised? Shall we tax leather, where no shoes are worn, or tallow, where no candles are burned?" If these words be true—and they were spoken in the face of Parliament, where they could have been contradicted if they were not—surely the statesman who desired to change such a state of things may have been influenced by purer motives than those which have been ascribed to him. That the measure of the Union was, next to Lord Castlereagh, mainly imputable to him, is known to all; but that Catholic emancipation act not accompanying it should be almost entirely owing to him, will be a surprise to many. Yet we now have it on his own authority. His despatch from London, addressed to Lord Castlereagh in Dublin, announcing it, has at last been permitted to see the light. The extract is taken from the *Londonderry Papers*, a valuable publication, *so far as it goes*. Every one at the time was impressed with the belief that the rejection of that measure was owing to the religious scruples of the monarch which Mr Pitt had endeavoured, though in vain, to allay. Now, at the end of half a century, we have the secret disclosed by the then Lord Chancellor of Ireland to Lord Castlereagh, to whom the measure of the Union was with more than ordinary confidence intrusted. "I have," writes Lord Clare, "seen Mr Pitt, the Chancellor, and the Duke of Portland, who seem to feel very sensibly the critical situation of *our* DAMNABLE *country*, (highly complimentary, but it was *between themselves*,) and that the Union alone can save it. I should have hoped that what has passed would have opened the eyes of every man in England to the insanity of their present conduct with

respect to the Papists of Ireland, but I can very plainly perceive that they were as full of their Popish projects as ever. I trust and I hope I am not deceived that they are fairly inclined to give them up, and to bring the measure forward, unencumbered with the doctrine of emancipation. Lord Cornwallis has intimated his acquiescence on that point, and *Mr Pitt is decided on it.*" Decided! It really would appear from this that Mr Pitt willingly acquiesced in the postponement, if not the suppression of the Emancipation Act, though he resigned office not very long after, in consequence, as was thought, of the Sovereign's distaste to it. It is possible, no doubt, that he might have given way, rather than endanger the all-important measure of the Union; but this is anything but intelligible from the letter of the Lord Chancellor. He is "decided" is the phrase.

Considering what occurred in after days, with which the reader of these pages is familiar, there are two singular occurrences in Clare's career. *He* it was who presented Mr Curran with his first bag at the bar, and to *Mr Grattan* he himself owed his elevation in his profession! This last event happened on the formation of the Northington government. When Fox heard that such a proposition was mooted, he wrote a remonstrance to the Viceroy. The answer was that Mr Grattan had been consulted, and saw no objection. The British statesman, on this intimation, acquiesced, not however without the prophetic admonition, "Take care that in seeking to make a friend, you are not strengthening an enemy." Mr Daly also, another of the party, was not backward with his warning: "Take care what you are about, that little fellow will deceive you yet." The monitions, however, were unheeded. Fitzgibbon was made Attorney-General, "and," says Grattan, "from that time forth his country and my-

self were the two peculiar objects of his calumny." Daly, who was a very eminent man of the party, seems to have fathomed Fitzgibbon. One day after dinner, just before leaving the room, a fit of enthusiasm possessed him. "Talk not to me," he exclaimed magniloquently, "of a union: if a minister dared to do so, I would fling my office in his face;" and he flounced grandly out of the room. "Now, mark," said Daly, "*that* is the very man who would support it. That *little* man who talks so *big* would vote for a union—ay, to-morrow." There have been worse guesses. There has been only one witticism recorded of Fitzgibbon, and it is so good as to make us wish for more. When Yelverton, then Chief Baron, went over to England on the occasion of George the Third's illness, his companions were Curran, Egan, and a Mr Barrett, reputed to be fond of play. "He travels," said Fitzgibbon, "like a mountebank, with his monkey, his bear, and his sleight-of-hand man."

No enemy of Lord Clare could have devised a heavier vengeance than that by which he was overtaken. Accustomed to despotic sway in his own country, he carried his pretensions into the English senate. The House of Lords here were not prepared for submission; he attempted to enforce it, and was not merely rebuked, but insulted by the Duke of Bedford.

Humbled, mortified, and disgusted, he returned to Ireland to die, which he did in 1802, from the effects of an accident when riding on horseback.

A rabble hatred pursued him to the grave!

The speeches which have been laid before the public in the preceding pages, are the only specimens which I have been able to glean from the debates of the day, at least not already known, and worth recording, of Mr Curran's parliamentary eloquence. They were produced under all

the disadvantages already enumerated, and, therefore, any literary criticism on their merits would be unfair. Such as they are, indeed, there is little ground for thinking that they are given to us as Mr Curran delivered them. The literary capability of the Irish parliamentary reporters of that era was such, that when Hussey Burgh said in the House, he founded himself on the authority of the *eminent Serjeant Maynard*, it appeared in all the newspapers next day, that he founded himself on the authority of an *eminent Serjeant-Major!* But, whatever might have been the fate of his eloquence, it was impossible for his votes to be misrepresented; and the friend of liberty will never look for him in vain wherever freedom or religious toleration was endangered. No matter under what personal, or political, or professional discouragements he laboured, he never for a moment deserted the interests of his country; and I am as persuaded as I am of my own existence, that, either in the field or on the scaffold, he would most cheerfully have sealed with his heart's blood the charter of her emancipation. Many of his speeches in the senate have not been reported at all—many which have been reported are sadly mutilated—and many so *embellished* by the ignorant self-sufficiency of the reporter, that the original material is quite hidden by the embroidery. Such reports, so extended, and so feeble, bear an exact resemblance to Curran's own description of the speech of Serjeant Hewit: "The learned Serjeant's speech," said he, "put me exactly in mind of a familiar utensil in domestic use, commonly called an *extinguisher*—it began at a point, and on it went, widening and widening, until at last it fairly put the question out altogether."

However, it is not to Mr Curran's exertions in Parliament, but at the bar, that his biographer can look with the most justifiable satisfaction. His most powerful efforts

were naturally directed to the profession on which alone he calculated for fame or emolument. In this career we have at least a more authentic account of his progress than the parliamentary reports present to us. His speeches never were corrected by himself; and so dissatisfied was he at their publication, that he told me he offered five hundred pounds for their suppression, which was refused. It was his intention—an intention continually expressed, and as continually procrastinated—to have given the world a genuine edition, prefixing to each speech a little memorandum explanatory of the events in which it originated. This he designed to be only a supplement to the political history of his own times; "and for this," said he, "there are now alive only two men in Ireland who are competent—Mr Grattan and myself; but, he is too industrious during the session, and too indolent during the vacation, and, at all events, would handle the subject too much *en philosophe;* but I, in all except my talents, should be the most natural historian; for I have not only visited the Castle and the senate, but I have taken the gauge of treason in the *dungeon* and in the *tender*." As a proof that he was in earnest, he was fond of reciting his commencement. "You that propose to be the historian of yourself, go first and trace out the boundary of your grave. Stretch forth your hand and touch the stone that is to mark your head, and swear by the majesty of death that your testimony shall be true, unswayed by prejudice, unbiassed by favour, and unstained by malice; so mayest thou be a witness not unworthy to be examined before the awful tribunal of that after-time which cannot begin till you shall have been numbered with the dead." Those who recollect the ease, the eloquence, the characteristic strength with which, in common conversation, he sketched the public personages of his day, can alone appreciate the loss to

literature of that unperformed intention. Indeed, it was quite astonishing to observe his particular talent at character-drawing. He was a complete conversational La Bruyère. The minutest peculiarities were so exquisitely touched, the varieties of composition so defined, the light and shade so skilfully contrasted, that the whole figure seemed to start from the canvass, as it moved in life before the eye of the spectator. All it wanted was animation, and this, to his delighted auditor, Mr Curran represented: he became the very creature he was describing, and the noblest mimicry, that of mind, seconded the fidelity of the personal delineation. Perhaps the reader may recognise, under the following description, the late Dr Duigenan, as he rose in the House of Commons, combating the claims of the modern Catholics with all the inveterate prejudices of antiquity. He had attacked Mr Curran in the Irish House on the Roman Catholic question, in the year 1796, which called down on him the following retort:—

Having replied to the arguments of several members who had preceded him in the debate, Mr Curran came to the speech that had been delivered by Dr Duigenan, and entertained the House for about half-an-hour with one of the most lively sallies of wit and humour that we remember to have heard. He said that "The learned doctor had made himself a very prominent figure in the debate; furious indeed had been his anger, and manifold his attack. What argument, or what man, or what thing, had he not abused? Half choked by his rage in refuting those who had spoken, he had relieved himself by attacking those who had not spoken. He had abused the Catholics, he had abused their ancestors, he had abused the merchants of Ireland, he had abused Mr Burke, he had abused those who voted for the order of the day. I do not know but I ought to be obliged to the learned Doctor for honour-

ing me with a place in the invective; he has called me the bottle-holder of my right honourable friend. Sure I am, that if I had been the bottle-holder of both, the learned Doctor would have less reason to complain of me than my right honourable friend; for him I should have left perfectly sober, whilst it would very clearly appear that, with respect to the learned Doctor, the bottle had not only been managed fairly, but generously; and that if, in furnishing him with liquor, I had not furnished him with argument, I had at least furnished him with a good excuse for wanting it—with the best excuse for that confusion of history, and divinity, and civil law, and canon law—that heterogeneous mixture of politics, and theology and antiquity, with which he has overwhelmed the debate, and the havoc and carnage he has made of the population of the last age, and the fury with which he seemed determined to exterminate, and even to devour the population of this; and which urged him, after tearing and gnawing the characters of the Catholics, to spend the last efforts of his rage, with the most unrelenting ferocity, in actually gnawing their names," (alluding to Dr Duigenan's pronunciation of the name of Mr Keogh, and which, Mr Curran said, was a kind of pronunciatory defamation.) "In truth, sir, I felt some surprise, and some regret, when I heard him describe the sceptre of lath, and tiara of straw, and mimic his bedlamite Emperor and Pope with such refined and happy gesticulation, that he could not be prevailed on to quit so congenial a company. I should not, however, be disposed to hasten his return to them, or to precipitate the access of his fit, if, by a most unlucky felicity of indiscretion, he had not dropped some doctrines which the silent approbation of the minister seems to have adopted. I do not mean amongst these doctrines to place the learned Doctor's opinions touching the revolution, nor

his wise and valorous plan, in case of an invasion, of arming the beadles and the sextons, and putting himself in wind for an attack upon the French by a massacre of the Papists: the doctrine I mean was, that Catholic franchise was inconsistent with British connection. Strong indeed must the minister be in so wild and desperate a prejudice, if he can venture, in the fallen state of the empire, under the disasters of the war, and with an enemy at the gate—if he can dare to state to the great body of the Irish nation that their slavery is the condition of their connexion with England; that she is more afraid of yielding Irish liberty than of losing Irish connexion; and the denunciation is not yet upon record—it may yet be left with the learned Doctor, who, I hope, has embraced it only to make it odious—has hugged it in its arms with the generous purpose of plunging with it into the deep, and exposing it to merited derision, even at the hazard of the character of his own sanity. It is yet in the power of the minister to decide whether a blasphemy of this kind shall pass for the mere ravings of frenzy, or for the solemn and mischievous lunacy of a minister. I call, therefore, again to rouse that minister from his trance, and, in the hearing of the two countries, to put that question to him, which must be heard by a third—whether at no period, upon no event, at no extremity, we are to hope for any connexion with Britain except that of the master and the slave, and this even without the assertion of any fact that can support such a proscription."

An important era had now arrived in Mr Curran's life—his entrance into Parliament. The Irish bar was at that time the nursery of the Irish senate, and every young man who, without money enough to remunerate, had talents to interest the patron of a borough, might generally calculate on a seat in the House of Commons. There he had the noblest constitutional field on which to display his attain-

ments and his eloquence: an imperishable fame was his reward, and an applauding people were his auditors. There was scarcely a name of any eminence at the Irish bar which was not also enrolled in the annals of Parliament. In proof of this, I need only mention Hutchinson, Burgh, Duquery, Flood, Fitzgibbon, Scott, Grattan, Yelverton, concentrated in one grand and glowing constellation. Many of these characters must undoubtedly be mentioned by the lover of this country with very varied and opposite sensations; but to none of them, I apprehend, can the meed of superior talent, with justice, be denied. The period of Mr Curran's first return to Parliament was in 1783, during the administration of Lord Northington. He was elected for the borough of Kilbeggan, his associate in which was the illustrious Henry Flood, and with him he joined the opposition. There is something peculiarly creditable to him in a circumstance attending this election. Lord Longueville, who was the proprietor of the borough, returned Curran under an idea of his own, that a barrister, with a growing family, and totally dependent on his profession for subsistence, would scarcely suffer his principles to interfere with his interest. I am afraid the annals of parliamentary life will be found in but too many instances to countenance his Lordship in this humiliating supposition. However, in Curran the rule found a stubborn exception. On the very first question, he not only voted against his patron, but, by at least an energetic speech, proved the total fallacy of all his anticipations. Lord Longueville of course warmly remonstrated; but what was his astonishment to find Curran not only persevering in his independent opinions, but even appropriating the only five hundred pounds he had in the world to the purchase of a seat, which he insisted on transferring as an equivalent for that of Kilbeggan! To those, however,

who knew him intimately, this conduct will not appear surprising, for, next to his high-toned political independence, he preserved the most rigid principles of honour in every pecuniary transaction. No man would with more cheerfulness have expended his last shilling in discharging what he considered as a just pecuniary obligation. His enemies have certainly, amongst many other calumnies, imputed parsimony to him, but the above anecdote, well authenticated, refutes the accusation; and those who have struggled as he did, not merely for fortune but for bread, will easily excuse him for not squandering with an unprincipled prodigality what he owed to others.

The transition from Curran in the senate to Curran at the bar is one of pleasure. We feel at home with him in the Four Courts. There never, perhaps, lived a greater advocate—certainly never one more suited to the country in which his lot was cast. He had all the qualities by which his countrymen are attracted and attached. His imagination was wonderful, his eloquence copious, rapid, and ornate, his powers of mimicry beyond all description. The passions were under his absolute command; either the laugh or the tear was ready at his bidding; his contrasts—their rapidity, their ease, and, strange to say, their apparent propriety—were marvellous. There was no time to criticise, where the mind was wrapt in wonder and delight, and the hearer was hurried, now into the regions of philosophy and fancy, now through the scenes of fun, and drollery, and humour, amid which the Irish peasant delights to forget, or laugh away, his wretchedness. He had another quality, apart from intellect, which the times demanded—indomitable courage. The English advocate is engaged in contentions, earnest, ardent, animated, but—peaceful. Not so, however, must we read Curran's history. In the days from which he dates his glory, peril

beset his path, armed men composed his auditory, exasperated authority denounced his zeal, and faction scowled upon the dauntless advocate it burned to make its victim. Bayonets were often bristling at his breast, and the interference of the bench was sometimes called for, to procure him even the decency of a hearing. His daring to appear at all in defence of a state-prisoner was made matter of grievous accusation! Lord Carleton broadly hinted to him, he might lose his gown if he defended Neilson. "Well, my Lord," said Curran, somewhat contemptuously, "his Majesty may take the silk, but he must leave the stuff behind." He scorned both the threat and the imputation. "I feel no shame," he says in 1798, "at such a charge, except that of its being made at such a time as this, that to defend the people should be held out as an imputation upon the King's counsel, when the people are prosecuted by the state. I think every counsel is the property of his fellow-subjects. If, indeed, because I wore his Majesty's gown, I had declined my duty, or had done it weakly or treacherously—if I had made that gown a mantle of hypocrisy, and had betrayed my client, or sacrificed him to any personal view—I might, perhaps, have been thought wiser by those who have blamed me, but I should have thought myself the basest villain upon earth." It was amid such scenes, and under such discouragements, that Curran pronounced the memorable orations which have made his name immortal. With every wish to present them entire, space will not permit me. Extracts, however, shall be given from the most interesting speeches, by which the public may regulate its judgment. Let me hope that the fragments, however necessarily minute, will give some idea of the magnificence of the structure. Of the addresses to juries, the first, I find, is that in defence of Archibald Hamilton Rowan, in the month of January

1794. May I be allowed the melancholy pleasure of dwelling for a moment on the memory of a friend? I knew Hamilton Rowan, and believe I knew him thoroughly. It is now very many years since, when, sitting in my chambers in Dublin, the door opened, and to my surprise he entered with an unfolded letter in his hand. "I come to introduce myself," said he: "here is a letter which I have had from America, and I cannot answer it without being able to say we are acquainted." Rowan was a man not easily forgotten. He was a most noble figure, of venerable aspect and very dignified demeanour. Our acquaintance soon ripened into intimacy. The impression he left on me was that of a warm heart, an open hand, and the kindliest nature, with a touch of the romantic which years had not affected. Never was there a man less capable of crime, or more likely to commit an indiscretion. He never thought of himself; but if he saw towards another even the semblance of oppression, at all cost and all hazard he stood forth to redress or to resist it. Though Rowan was secretary to the Society of United Irishmen, he was no mere political adventurer. A man of large possessions, the interests of Ireland and his own were identified; and yet he subjected himself to a charge of high treason, through the machinations of a perfidious and pensioned betrayer. That Lord Clare thought he had been trepanned, his interference, already alluded to, fully proves; and his subsequent life justifies the opinion. The indictment on which Mr Curran defended him was for the publication of an address from the United Irish Society to the volunteers of Ireland. He was convicted. Yet he neither wrote nor distributed the address. The man who did distribute it, and who resembled Rowan,* never was indicted, and Drennan, its actual author, was prosecuted

* His name was Willis.

and acquitted. Curran defended him. The proof of publication was insufficient. Rowan was fined £500, and sentenced to two years' imprisonment. While undergoing this sentence, he made the acquaintance of a fellow-prisoner named Jackson, of whom more hereafter. Jackson was unquestionably a traitor, and was visited in his prison by Cockaigne, an English attorney—a deadly enemy in the mask of a friend. Rowan was entrapped into some participation in their plots, and a charge of high treason was preferred against him. There can be no doubt his situation was critical in the extreme. Some powerful friend secretly apprised him of his danger, and he effected his escape. This was the achievement of his heroic wife, an Irish Madame Lavalette. The under-jailor of Newgate was induced to accompany him to his own house, and permitted him to enter a back-room, where his lady and their children slept. Everything had been prepared. He disguised himself in his herd's clothes, got down from a back-window by means of a knotted rope, and reached in safety the house of his friend Mr Sweetman, on the coast near Dublin. Rewards to a large amount were immediately offered for his apprehension. Government promised £1000, the city of Dublin £500, and certain individuals £500 more. A small and not very well-found fishing smack of his friend Sweetman's was the only available mode of escape. However, three fishermen were hired, two of them brothers of the name of Sheridan. "When I heard that name," said Rowan to me, as he related these incidents, "I hailed it as one of good omen." And it proved so. While awaiting a wind, seated in the stern of the boat, enveloped in a large Spanish cloak, these truly noble fellows addressed him—"Mr Rowan, we know you, and we know what we can get by surrendering you; but we have

pledged our words to take you to France, and, with the help of God, we will do so." A more heroic sacrifice is hardly to be found in history. A shilling or two a-day was perhaps the amount of these poor men's earnings, and here was a fortune of £2000 if they betrayed this man, to them a stranger, and they spurned it. Legislators of Ireland! you, who still survive the trafficked trust of 1800, how stand you by the side of these poor peasants? It is needless to say, that in the future day of his prosperity they were not forgotten by one whose noble nature was kindred to their own. Rowan was landed safely in France, whence he sailed for America, where, by his own industry and talents, he for some years contrived to maintain himself. The kindness of Lord Clare has been already recorded. He did not live to see the restoration of Rowan to his country, which, however, he had secured. The events of 1803 may be supposed to have for a time retarded it. It was not till 1805 that, being arraigned before Lord Clonmell, he thus pleaded the King's pardon: "When I last had the honour to stand in this court before your Lordship, I said that I did not know the King otherwise than as the head of the state—as a magistrate wielding the force of the executive power. I now know him by his clemency—by that clemency which has enabled me once more to meet my wife and children —to find them not only unmolested, but cherished and protected during my absence in a foreign country, and my legal incapacity of rendering to them the assistance of a husband and a father. Were I to be insensible of that clemency, I should indeed be an unworthy man. All are liable to error. These considerations have taught me deeply to regret some of the violent measures which I then pursued. Under the circumstances in which I stand, were I to express all I feel upon this subject, it might be attri-

buted to base and unworthy motives; but your Lordships, aware how deeply I must be affected by my present situation, will give me credit for what I cannot myself express." After a few kind words from Lord Clonmell, he retired from the court, surrounded by happy friends. Rowan survived very many years in the enjoyment of an ample fortune, and of all the blessings which domestic happiness can bestow. It may not be generally known that his eldest son was the late highly distinguished officer, Captain Hamilton, of the navy. Rowan retained his chivalry to the last. In 1827, at the advanced age of seventy-five, he travelled to London to demand a meeting from Sir Robert Peel for some hasty expressions dropped in the heat of a debate. Sir Robert Peel was too honourable and right-minded a man to give unprovoked offence, and the affair was easily and amicably adjusted. As my extracts from Mr Curran's speech in his defence will commence with a personal description of his client, any further portraiture of mine must be unnecessary. Many there are who still remember his majestic figure, a model for the sculptor, with a native oaken sapling in his hand, and two gigantic Danish wolf-dogs at his heels, as he issued from Kildare Street—a formidable trio.

DESCRIPTION OF MR ROWAN.

"Gentlemen, let me suggest another observation or two, if still you have any doubt as to the guilt or innocence of the defendant. Give me leave to suggest to you what circumstances you ought to consider, in order to found your verdict. You should consider the character of the person accused; and in this your task is easy. I will venture to say, there is not a man in this nation more known than the gentleman who is the subject of this prosecution, not only by the part he has taken in public con-

cerns, and which he has taken in common with many, but still more so by that extraordinary sympathy for human affliction which, I am sorry to think, he shares with so small a number. There is not a day that you hear the cries of your starving manufacturers in your streets, that you do not also see the advocate of their sufferings—that you do not see his honest and manly figure, with uncovered head, soliciting for their relief; searching the frozen heart of charity for every string that can be touched by compassion, and urging the force of every argument and every motive, save that which his modesty suppresses—the authority of his own generous example. Or if you see him not there, you may trace his steps to the abode of disease, and famine, and despair; the messenger of Heaven—bearing with him food, and medicine, and consolation. Are these the materials of which we suppose anarchy and public rapine to be formed? Is this the man on whom to fasten the abominable charge of goading on a frantic populace to mutiny and bloodshed? Is this the man likely to apostatise from every principle that can bind him to the state—his birth, his property, his education, his character, and his children? Let me tell you, gentlemen of the jury, if you agree with his prosecutors in thinking there ought to be a sacrifice of such a man, on such an occasion, and upon the credit of such evidence, you are to convict him. Never did you, never can you give a sentence consigning any man to public punishment with less danger to his person or to his fame; for where could the hireling be found to fling contumely or ingratitude at his head, whose private distresses he had not laboured to alleviate, or whose public condition he had not laboured to improve?"

ON THE LIBERTY OF THE PRESS.

"What then remains? The liberty of the press only:

that sacred Palladium, which no influence, no power, no government, which nothing but the folly or the depravity, or the folly or the corruption of a jury, ever can destroy. And what calamities are the people saved from by having public communication left open to them! I will tell you, gentlemen, what they are saved from; I will tell you also to what both are exposed by shutting up that communication. In one case, sedition speaks aloud, and walks abroad; the demagogue goes forth; the public eye is upon him; he frets his busy hour on the stage; but soon either weariness, or bribe, or punishment, or disappointment, bears him down, or drives him off, and he appears no more. In the other case, how does the work of sedition go forward? Night after night the muffled rebel steals forth in the dark, and casts another and another brand upon the pile, to which, when the hour of fatal maturity shall arrive, he will apply the flame. If you doubt of the horrid consequences of suppressing the effusion of even individual discontent, look to those enslaved countries where the protection of despotism is supposed to be secured by such restraints. Even the person of the despot there is never in safety. Neither the fears of the despot, nor the machinations of the slave, have any slumber—the one anticipating the moment of peril, the other watching the opportunity of aggression. The fatal crisis is equally a surprise upon both; the decisive instant is precipitated without warning, by folly on the one side, or by frenzy on the other; and there is no notice of the treason till the traitor acts. In those unfortunate countries—one cannot read it without horror—there are officers whose province it is to have the water, which is to be drunk by their rulers, sealed up in bottles, lest some wretched miscreant should throw poison into the draught. But, gentlemen, if you wish for a nearer and a more interesting example, you have

it in the history of your own revolution; you have it at that memorable period, when the monarch found a servile acquiescence in the ministers of his folly—when the liberty of the press was trodden under foot—when venal sheriffs returned packed juries to carry into effect those fatal conspiracies of the few against the many—when the devoted benches of public justice were filled by some of those foundlings of fortune,* who, overwhelmed in the torrent of corruption at an early period, lay at the bottom like drowned bodies while sanity remained in them, but at length, becoming buoyant by putrefaction, they rose as they rotted, and floated to the surface of the polluted stream, where they were drifted along, the objects of terror, and contagion, and abomination.

"In that awful moment of a nation's travail, of the last gasp of tyranny, and the first breath of freedom, how pregnant is the example! The press extinguished, the people enslaved, and the prince undone. As the advocate of society, therefore—of peace, of domestic liberty, and the lasting union of the two countries, I conjure you to guard the liberty of the press, that great sentinel of the state, that grand detector of public imposture; guard it, because when it sinks, there sinks with it, in one common grave, the liberty of the subject and the security of the Crown.

"Gentlemen, I am glad that this question has not been brought forward earlier. I rejoice for the sake of the court, of the jury, and of the public repose, that this question has not been brought forward till now. In Great Britain analogous circumstances have taken place. At the commencement of that unfortunate war which has deluged Europe with blood, the spirit of the English people was tremblingly alive to the terror of French principles; at that moment of general paroxysm, to accuse

* These were supposed to be personal allusions.

was to convict. The danger loomed larger to the public eye from the misty region through which it was surveyed. We measure inaccessible heights by the shadows they project, when the lowness and the distance of the light form the length of the shade.

"There is a sort of aspiring and adventurous credulity which disdains assenting to obvious truths, and delights in catching at the improbabilities of a case as its best ground of faith. To what other cause, gentlemen, can you ascribe that, in the wise, the reflecting, and the philosophic nation of Great Britain, a printer has been gravely found guilty of a libel for publishing those resolutions to which the present minister of that kingdom had actually subscribed his name? To what other cause can you ascribe, what in in my mind is still more astonishing, in such a country as Scotland—a nation, cast in the happy medium between the spiritless acquiescence of submissive poverty, and the sturdy credulity of pampered wealth—cool and ardent, adventurous and persevering, winging her eagle flight against the blaze of every science, with an eye that never winks, and a wing that never tires; crowned, as she is, with the spoils of every art, and decked with the wreath of every muse, from the deep and scrutinising researches of her Hume, to the sweet and simple, but not less sublime and pathetic morality of her Burns—how, from the bosom of a country like that, genius and character and talents * should be banished to a distant and barbarous soil, condemned to pine under the horrid communion of vulgar vice and base-born profligacy, for twice the period that ordinary calculation gives to the continuance of human life! But I will not further press any idea that is painful to me, and I am sure must be painful to you: I will only say, you have now an example of which neither England nor Scot-

* Muir, Margarot, &c.

land had the advantage; you have the example of the panic, the infatuation, and the contrition of both. It is now for you to decide whether you will profit by their experience, of idle panic and idle regret, or whether you meanly prefer to palliate a servile imitation of their frailty by a paltry affectation of their repentance. It is now for you to show that you are not carried away by the same hectic delusions, to acts of which no tears can wash away the fatal consequences or the indelible reproach."

THE VOLUNTEERS OF IRELAND.

"Gentlemen, Mr Attorney General has thought proper to direct your attention to the state and circumstances of public affairs at the time of this transaction: let me also make a few retrospective observations on a period at which he has but slightly glanced. You know, gentlemen, that France had espoused the cause of America, and we became thereby involved in a war with that nation.

'Heu, nescia mens hominum futuri.'

Little did that ill-fated monarch know that he was forming the first causes of those disastrous events that were to end in the subversion of his throne, in the slaughter of his family, and the deluging of his country with the blood of his people. You cannot but remember that at a time when we had scarcely a regular soldier for our defence —when the old and young were alarmed and terrified with apprehensions of a descent upon our coasts—that Providence seemed to have worked a sort of miracle in our favour. You saw a band of armed men come forth at the great call of nature, of honour, and their country; you saw men of the greatest wealth and rank; you saw every class of the community give up its members, and send them armed into the field to protect the public

and private tranquillity of Ireland: it is impossible for any man to turn back to that period, without reviving those sentiments of tenderness and gratitude which then beat in the public bosom; to recollect amidst what applause, what tears, what prayers, what benedictions, they walked forth amongst spectators, agitated by the mingled sensations of terror and of reliance, of danger and of protection, imploring the blessings of heaven upon their heads, and its conquest upon their swords. That illustrious, and adored, and abused body of men stood forward and assumed the title, which I trust the ingratitude of their country will never blot from its history—THE VOLUNTEERS OF IRELAND."

ON THE NATIONAL REPRESENTATION.

"Gentlemen, the representation of our people is the vital principle of their political existence; without it, they are dead, or they live only to servitude; without it, there are two estates acting upon and against the third, instead of acting in co-operation with it; without it, if the people are oppressed by their judges, where is the tribunal to which their judges can be amenable?—without it, if they are trampled upon and plundered by a minister, where is the tribunal to which the offender shall be amenable?—without it, where is the ear to hear, or the heart to feel, or the hand to redress their sufferings? Shall they be found, let me ask you, in the accursed bands of imps and minions, that bask in their disgrace, and fatten upon their spoils, and flourish upon their ruin? But let me not put this to you as a merely speculative question: it is a plain question of fact. Rely on it, physical man is everywhere the same: it is only the various operation of moral causes that gives variety to the social or individual character or condition. How otherwise happens it, that

modern slavery looks quietly at the despot on the very spot where Leonidas expired? The answer is, Sparta has not changed her climate, but she has lost that government which her liberty could not survive."

UNIVERSAL EMANCIPATION.

"This paper, gentlemen, insists on the necessity of emancipating the Catholics of Ireland; and that is charged as part of the libel. If they had waited another year—if they had kept this prosecution impending for another year, how much would remain for a jury to decide upon, I should be at a loss to discover. It seems as if the progress of public information was eating away the ground of the prosecution. Since its commencement, this part of the libel has unluckily received the sanction of the legislature. In that interval our Catholic brethren have re-obtained that admission which, it seems, it was a libel to propose. In what way to account for this I am really at a loss. Have any alarms been occasioned by the emancipation of our Catholic brethren? Has the bigoted malignity of any individual been crushed? Or has the stability of the government or that of the country been weakened? Or is one million of subjects stronger than four millions? Do you think that the benefit they have received should be poisoned by the sting of vengeance? If you think so, you must say to them, You have demanded emancipation, and you have got it; but we abhor your persons; we are outraged at your success, and we will stigmatise by a criminal prosecution the adviser of that relief which you have obtained from the voice of your country. I ask you, do you think, as honest men anxious for the public tranquillity, conscious that there are wounds not yet completely cicatrised, that you ought to speak this language at this time to men who are very much disposed to think that, in this very emanci-

pation, they have been saved from their own Parliament by the humanity of their sovereign? Or do you wish to prepare them for the revocation of these improvident concessions? Do you think it wise or humane at this moment to insult them, by sticking up in a pillory the man who dared to stand forth as their advocate? I put it to your oaths: Do you think that a blessing of that kind—that a victory obtained by justice over bigotry and oppression, should have a stigma cast upon it, by an ignominious sentence upon men bold enough and honest enough to propose that measure;—to propose the redeeming of religion from the abuses of the church, the reclaiming of three millions of men from bondage, and giving liberty to all who had a right to demand it; giving, I say, in the so much censured words of this paper—giving 'universal emancipation.'

"I speak in the spirit of the British law, which makes liberty commensurate with, and inseparable from, British soil—which proclaims even to the stranger and the sojourner the moment he sets his foot upon British earth, that the ground on which he treads is holy, and consecrated by the genius of universal emancipation. No matter in what language his doom may have been pronounced—no matter what complexion, incompatible with freedom, an Indian or an African sun may have burnt upon him—no matter in what disastrous battle the helm of his liberty may have been cloven down—no matter with what solemnities he may have been devoted upon the altar of slavery—the moment he touches the sacred soil of Britain, the altar and the god sink together in the dust; his soul walks abroad in its own majesty; his body swells beyond the measure of his chains, which burst from around him, and he stands redeemed, regenerated, and disenthralled by the irresistible genius of UNIVERSAL EMANCIPATION."

(The loud and irrepressible acclamations of all within hearing, here interrupted Mr Curran. When, after a long interval, the enthusiasm had in some degree subsided, he thus modestly alluded to the incident.)

"Gentlemen, I am not such a fool as to ascribe any effusion of this sort to any merit of mine. It is the mighty theme, and not the inconsiderable advocate, that can excite interest in the hearer: what you hear is but the testimony which nature bears to her own character; it is the effusion of her gratitude to that Power which stamped that character upon her."

PERORATION.

"Upon this subject, therefore, credit me when I say I am still more anxious for you than I can possibly be for him. Not the jury of his own choice, which the law of England allows, but which ours refuses, collected in that box by a person, certainly no friend to Mr Rowan—certainly not very deeply interested in giving him a very impartial jury. Feeling this, as I am persuaded you do, you cannot be surprised, however you may be distressed, at the mournful presage with which an anxious public is led to fear the worst from your possible determination. But I will not, for the justice and honour of our common country, suffer my mind to be borne away by such melancholy anticipation. I will not relinquish the confidence that this day will be the period of his sufferings; and, however mercilessly he has been hitherto pursued, that your verdict will send him home to the arms of his family and the wishes of his country. But if, which Heaven forbid! it hath still been unfortunately determined, that because he has not bent to power and authority, because he would not bow down before the golden calf and worship it, he is to be bound and cast into the furnace,—I do trust in God,

there is a redeeming spirit in the constitution, which will be seen to walk with the sufferer through the flames, and to preserve him unhurt by the conflagration."

When Mr Curran terminated this magnificent exertion, the universal shout of the audience testified its enthusiasm. He used to relate a ludicrous incident which attended his departure from court after the trial. His path was instantly beset by the populace, who were bent on chairing him. He implored—he entreated—all in vain. At length, assuming an air of authority, he addressed those nearest to him—"I desire, gentlemen, that you will desist." "I laid great emphasis," says Curran, "on the word 'desist,' and put on my best suit of dignity. However, my next neighbour, a gigantic brawny chairman, eyeing me, with somewhat of a contemptuous affection, from top to toe, bellowed out to his companion—'Arrah, blood and turf! Pat, don't mind the little crature; here, pitch him up this minute upon *my showlder.*'" Pat did as he was desired; the "little crature" was carried, *nolens volens*, to his carriage, and drawn home by an applauding populace. It was a great treat to hear Curran describe this scene, and *act it.*

The next trial of any consequence which I find on record is that of the Rev. William Jackson, for high treason, in the year 1794. No indictment for this offence had been preferred in Ireland for a century. In four years more the executioner had abundant compensation. Jackson's history is not without its interest, and in some degree connects itself with Rowan's. He was a clergyman of the Church of England, and arrived in Dublin on a treasonable mission from the Committee of Public Safety, then sitting in Paris. Having been formerly secretary to the Duchess of Kingston, he wrote her letters in the celebrated correspondence with Foote the actor. In her house

he made the acquaintance of her attorney, a Mr Cockaigne, and, unhappily for himself, now renewed that acquaintance on his passage through London. It was my lot in after-life to have had a singular interview with this man. Somewhere about the year 1822, after I had been some short time at the English bar, a tall and venerable figure entered my chambers with a brief, which he presented with much courtesy. There was something, however, unusual in his manner. He lingered and hesitated, and seemed as if doubtful what to do. At last it was all explained. "To tell you the truth, sir," said he, "I have ventured to make this brief the medium of an introduction to you. Some occurrences took place in Dublin many years ago, with which I was mixed up; and as you may have heard of them, perhaps you would permit me to give my explanation—my name is Cockaigne!" I felt for the moment as if stunned. The man had long been matter of history to me. I had thought him in his grave. Yet there he stood, the survivor of his victim and his patron, still living on the wages that had purchased life! I had hardly nerve enough to say to him, "Sir, when I tell you that I was the intimate friend of Mr Curran, and often spoke with him on the wretched Jackson's fate, you must see the inutility of any explanation." He uttered not a syllable, and left the room. Jackson was in difficulties, and, it was said, had received relief from Cockaigne; hence arose an intimacy. He revealed the treasonable mission to his friend, and his friend revealed it to the minister. Mr Pitt desired Cockaigne to accompany Jackson on his embassy, to encourage his confidence and treasure up its fruits. It was during Rowan's imprisonment that they arrived in Ireland, and by Macnally, a barrister, (who had known Jackson,) they were introduced to him in Newgate, and also to Theobald Wolfe Tone. The plans of Jackson were dis-

cussed amongst them, and Tone consented to proceed to France, accredited by Jackson to the committee, in order to disclose the state of Ireland, and discuss the policy of a French invasion. The officiousness of Cockaigne, however, seems to have alarmed Tone, and he resigned his mission with the shrewd remark, "This business is one thing for us Irishmen, but the Englishman who embarks in it must be a traitor one way or the other." Mr William Curran, in his very admirable life of his father, relates a hateful anecdote of this man. Macnally, counsel in most of the high-treason cases, entertained the strangers at dinner. The conversation was getting imprudent, when the butler, beckoning his master out of the room, warned him to be careful, "for, sir, the strange gentleman who seems to be asleep is not so, but carefully listening to everything that is said, for I have seen his eye glistening through the fingers with which he is covering his face." This was Cockaigne!—in the midst of conviviality lying in wait for life. At length Tone drew up a paper for the French committee, detailing the actual state of Ireland. This was copied and given to Jackson, who intrusted it to Cockaigne to put in the post, under cover, to a confidant at Hamburg. The pear was now ripe. The traitor having given the signal to headquarters, he was himself arrested, and the farce was performed of his examination by the Privy Council. This of course was a blind, but proved so effectual, that after Jackson's arrest, which ensued immediately, he and Rowan received Cockaigne's condolatory visit in prison, and heard and believed his friendly protestations. Jackson, after twelve months' imprisonment, was tried and convicted of high treason on the evidence of the single witness, Cockaigne! Mr Curran on this occasion, and subsequently on others, so ably and eloquently denounced the injustice of convicting for high

treason in Ireland on the evidence of one witness, whereas two were requisite in England, that the law has since been assimilated in both countries.* When Jackson was called up for judgment, a very melancholy scene ensued. His appearance in the dock, from the moment of his entrance, indicated extreme indisposition. Gradually becoming worse and worse, during the addresses of Messrs Curran and Ponsonby, his counsel, he at last sank down exhausted. Lord Clonmel, seeing it, said, "If the prisoner is insensible, it is impossible for me to pronounce judgment on him." A medical man, who happened to be in court, was requested to examine the prisoner. Having done so, he declared that he was dying. Being sworn, his evidence was taken.

LORD CLONMEL.—"Are you a professional man?"

Mr KINSLEY.—"I am an apothecary."

LORD CLONMEL.—"Can you speak with certainty of the state of the prisoner?"

Mr KINSLEY.—"I can. He is verging to eternity?"

LORD CLONMEL.—"Do you think him capable of hearing his judgment?"

Mr KINSLEY.—"I do not think he can?"

LORD CLONMEL.—"Then he must be taken away. Take care that in his removal no mischief be done. Let him be remanded until further orders; and I believe it as much for his advantage as for all of yours that we adjourn the Court."

Jackson was dead!

LORD CLONMEL.—"Let an inquest, and a respectable one, be held on the body. You should carefully inquire by what means he died."

The body lay all night in the dock, and next day a jury found that he had taken poison. There could have

* TOWNSEND'S *Modern State Trials.*

been no doubt of it. Soon after he appeared the day before, seeing Mr Macnally pass, he grasped his hand, and faintly whispered, "We have deceived the senate." Several sentences from the Psalms, indicating his danger and his affliction, were found copied on a sheet of paper in his pocket. An anecdote is related of this unfortunate man during his imprisonment, which it would be an injustice to his memory to suppress. It is related in the Life of Curran by his son, and also in MacNevin's Pieces of Irish history. The Government of the day allowed him every indulgence, books, writing materials, and the society of friends. I record it with pleasure. On the approach of his trial, a companion remained with him to a late hour; Jackson accompanied him on his way out as far as the waiting-room of the gaoler. He was fast aleep in his arm-chair, his keys lying beside him! "Poor fellow," said Jackson, "let us not disturb him. I have given him already too much trouble." He took the keys and let his companion out. The door was open to himself. "I could do it," he said, "but what would be the consequence to you, and to the poor fellow who has been so kind to me? No; let me rather meet my fate." He replaced the keys without awakening his keeper, and returned to his apartment. Contrast this with Cockaigne! Here is Mr Curran's account of him:—

"Gentlemen of the Jury—I am scarcely justified in having trespassed so long. It is a narrow case. It is the case of a man charged with the most penal offence; and *by whom?* By one witness. And who is he? A man, stating to you that he comes from another country, provided with a pardon for treasons committed, not in Great Britain, but in this kingdom here—of Ireland. Have you ever been upon a jury before? Did you ever hear of a man sacrificing his life to the law of the country upon the

testimony of a single witness; and that single witness, by his own confession, an accomplice in the crime? What! is character made the subject of support? Take his own vile evidence for his character: he was the traitor to his client. And what think you of his character? He was the spy that hovered round his friend, and snuffed his blood, and coveted the price that was to be given him for shedding it! He was the man who yielded to the tie of three oaths of allegiance, to watch and be the setter of his client—to earn the bribe of Government—secure with his pardon already in his pocket. He was to put letters in the post-office—to do what he stated himself pressed upon his mind the conviction that he was liable to the penalties of treason; and this very act did he do from the obligation of three oaths of allegiance. Was he aware of his crime?—His pardon tells it. Was he aware of the turpitude of his character?—Yes; he brought a witness to support it: knowing that it was bad, he came provided with an antidote. Is it a man of that kind—his pardon in his pocket—his bribe not yet within his pocket until you by your verdict shall say he is worthy of it!—is it such a man whose evidence shall take away his fellow-creature's life? He came over to be a spy—to be a traitor—to get a pardon, and to get a reward; although, if you believe him, it was to be all common *agreeable* work, to be paid for, like his other ordinary business, by the day, or by the sheet. He was to be paid so much a day for ensnaring and murdering his client and his friend! Do you think the man deserving of credit who can do such things? No, gentlemen of the jury: I have stated the circumstances by which, in my opinion, the credit of Mr Cockaigne should be as nothing in your eyes."

The next reported speech of any importance is that in defence of Mr Peter Finnerty, for a libel on Lord Cam-

den's administration. Finnerty was the publisher of a newspaper called the *Press*, to which the most distinguished literary characters of the Opposition of that day contributed. I have every reason to believe that Mr Curran himself was amongst the number. Thomas Moore's first production appeared in it. The immediate circumstances in which this prosecution originated were these : A person of the name of William Orr had been tried and convicted at a preceding assizes of Carrickfergus, before Lord Avonmore, for administering an unlawful oath. Some of the jury who tried Orr were induced subsequently to make an affidavit, declaring that they were *intoxicated* when they agreed to their verdict, and beseeching that mercy might be extended to the convict. The memorial was transmitted to the Castle—Orr was several times respited; but after the mature deliberation of the Privy Council, the law was allowed to take its course, and he was accordingly executed. His fate excited great interest at the time, and the circumstances attending it underwent much discussion. A letter bearing the signature of *Marcus* appeared in the *Press* upon the subject, couched in very indignant and very eloquent language. Mr Finnerty was indicted as publisher, tried, convicted, and pilloried in consequence. The result, however, was considered very far from discreditable to him, and his punishment was regarded as a sort of penal triumph. He was accompanied by some of the leading men in the country, and repeatedly and enthusiastically cheered by the populace. The political feeling of the day was strongly in his favour. The trial on which his paper had descanted was, in the mildest parlance, a very singular one ; and more than all, it was generally, and I believe truly, understood that Mr Finnerty might have averted the prosecution from himself, by surrendering *Marcus* up to the vengeance of the Gov-

ernment. This, however, his principles restrained him from doing; and his highly honourable determination converted, in the estimation of many, the convict into the martyr. Mr Curran, who managed his defence, was not ashamed of his intimacy, and, to my knowledge, held him to the day of his death in a very high degree of estimation. Finnerty was one of the few admitted to his funeral. When a student at the Temple, I made his acquaintance. He was an unquestionable original. On the expiration of his imprisonment, he migrated to London, and got an engagement on the *Morning Chronicle* as a reporter. It was a prudent journey—his constitution would never have been proof against the Irish climate of '98. Peter was a man born to trouble, and most pertinaciously did he work out his mission. Libel was the pabulum on which he fed from his cradle. Not satisfied with his Irish laurels, he twice tempted, of all men in the world, Sir Vicary Gibbs, during his Attorney-generalship!—a man at whose very name even compositors trembled. But Peter feared not. His first essay was a pamphlet on the case of Major Hogan, reflecting severely on the Duke of York as Commander-in-chief. Through his interest with the press, he had copious extracts from it published in the daily journals, in consequence of which no less than eighteen persons —printers, proprietors, and editors—were under prosecution at the same time! He had favoured them, as friends, with the very earliest copies—a fatal priority. Such, at least, it most assuredly would have proved, had not the Wardle investigation opportunely averted the prosecutions. His next experiment, however, was not quite so fortunate. Having accompanied the Walcheren expedition to supply the *Chronicle* with intelligence, his bulletins induced the Government to ship him home in a man-of-war. This he imputed to Lord Castlereagh, and libelled him accordingly.

As well as I recollect, he pleaded guilty, reserving all his energies for the day on which he was called up for judgment. It was a day indeed! In the interval, between his plea and it, he had revisited his native soil and returned laden with a hundred libels on his prosecutor, duly authenticated by the oaths of his sympathising countrymen —the lucky survivors of '98. These he meant to use in *mitigation of punishment.* Well indeed might the amazed Sir Vicary denounce the attempt as an outrage on a court of justice! After an ineffectual remand for the purpose of correcting his documents, Peter produced them again in all their native freshness—not a sentence faded, or a syllable curtailed. Hour after hour, against the united opposition of both bench and bar, did he battle for their reception. Shrewd, intrepid, unabashed, he retorted sarcasm, and met menace with defiance. "I thought, sir," said Lord Ellenborough, "we sent you to prison for a week, that you might amend these affidavits." "He'd not mend them in a month," said Garrow loudly. "Much more quickly," replied Peter, "than you could mend your manners." Peter boasted a classical education. He had gone, according to himself, as far in Latin—*as Euclid.* On this day his erudition was inexhaustible. As scrap after scrap of threadbare axioms was paraded, the Chief Justice used to growl—"Oh, what a waste of time!" At last, in allusion to Castlereagh's employing an agent for some purpose, he exclaimed—"But that sha'nt save him. You know the proverb, my Lords—

'Qui facit per alium facit per se'—

as a matter of course, mispronouncing *alium.* Lord Ellenborough condescended to set him right; but in the tone and manner of his critic he ungratefully growled, "Oh, what a waste of time!" "Pronounce it as you like, my

Lord, *isn't the English of it the same?*" Never, to be sure, was greater effrontery witnessed. The day ended in his departure for Lincoln Castle on a visit of eighteen months. The whole scene, however, was graphically depicted in the *Times* of the next morning; and the ready talent, and the dauntless courage which it displayed, despite of all drawbacks, obtained for Finnerty a public subscription of two thousand pounds. He had a singular habit of talking to himself. A friend remarked upon it to him one day—"Why," said he, "to tell you the truth, I always fancy myself under prosecution, and *am making my defence.*" Mr Curran much respected him for his manly refusal to betray the trust reposed in him, daring all consequences rather than do so. When reproached with the pillory in the Court of King's Bench by Gibbs, Finnerty replied that it was "the proudest hour of his life." Be that as it may, now that the political strife of the day has passed away, many, perhaps, will think that Orr's treatment imperatively called for commentary. The first extract from Mr Curran's speech will place the whole narrative before the reader; and, if I mistake not, before our latest posterity. There are passages in this speech unsurpassed in our language.

AN APPEAL TO THE JURY ON THE FACTS WHICH LED TO THE PROSECUTION.

"Gentlemen, Mr Attorney-General has been pleased to open another battery upon this publication, which I do trust I shall silence, unless I flatter myself too much in supposing that hitherto my resistance has not been utterly unsuccessful. He abuses it for the foul and insolent familiarity of its address. I do clearly understand his idea: he considers the freedom of the press to be the license of offering that paltry adulation which no man

ought to stoop to utter or to hear; he supposes the freedom of the press ought to be like the freedom of a king's jester, who, instead of reproving the faults of which majesty ought to be ashamed, is base and cunning enough, under the mask of servile and adulatory censure, to stroke down and pamper those vices of which it is foolish enough to be vain. He would not have the press presume to tell the Viceroy that the prerogative of mercy is a trust for the benefit of the subject, and not a gaudy feather stuck into the diadem to shake in the wind, and by the waving of the gay plumage to amuse the vanity of the wearer. He would not have it said to him, that the discretion of the Crown as to mercy, is like the discretion of a court of justice as to law; and that in the one case as well as the other, wherever the propriety of the exercise of it appears, it is equally a matter of right. He would have the press all fierceness to the people, and all sycophancy to power: he would have it consider the mad and phrenetic depopulations of authority, like the awful and inscrutable dispensations of Providence, and say to the unfeeling and despotic despoiler in the blasphemed and insulted language of religious resignation—"The Lord hath given, and the Lord hath taken away, blessed be the name of the Lord!" But let me condense the generality of the learned gentleman's invective into questions that you can conceive. Does he mean that the air of this publication is rustic and uncourtly? Does he mean to say, that when Marcus presumed to ascend the steps of the Castle, and to address the Viceroy, he did not turn out his toes as he ought to have done? But, gentlemen, you are not a jury of dancing-masters. Or does the gentleman mean that the language is coarse and vulgar? If this be his complaint, my client has but a poor advocate. I do not pretend to be a mighty grammarian or a formidable critic; but I would beg leave

to suggest to you, in serious humility, that a free press can be supported only by the ardour of men who feel the prompting sting of real or supposed capacity; who write from the enthusiasm of virtue or the ambition of praise, and over whom, if you exercise the rigour of a grammatical censorship, you will inspire them with as mean an opinion of your integrity as your wisdom, and inevitably drive them from their post; and if you do, rely upon it, you will reduce the spirit of publication, and with it the press of this country, to what it for a long interval has been, the register of births, and fairs, and funerals, and the general abuse of the people and their friends.

"But, gentlemen, in order to bring this charge of insolence and vulgarity to the test, let me ask you, whether you know of any language which could have adequately described the idea of mercy denied when it ought to have been granted, or of any phrase vigorous enough to convey the indignation which an honest man would have felt upon such a subject? Let me beg of you for a moment to suppose that any one of you had been the writer of this very severe expostulation with the Viceroy, and that you had been the witness of the whole progress of this never-to-be-forgotten catastrophe. Let me suppose that you had known the charge upon which Mr Orr was apprehended—the charge of abjuring that bigotry which had torn and disgraced his country, of pledging himself to restore the people of his country to their place in the constitution, and of binding himself never to be the betrayer of his fellow-labourers in that enterprise—that you had seen him upon that charge removed from his industry, and confined in a jail—that, through the slow and lingering progress of twelve tedious months, you have seen him confined in a dungeon, shut out from the common use of air and of his own limbs—that day after day you had marked

the unhappy captive, cheered by no sound but the cries of his family or the clinking of chains—that you had seen him at last brought to his trial—that you had seen the vile and perjured informer deposing against his life—that you had seen the drunken, and worn-out, and terrified jury give in a verdict of death—that you had seen the jury, when their returning sobriety had brought back their consciences, prostrate themselves before the humanity of the bench, and pray that the mercy of the Crown might save their characters from the reproach of an involuntary crime, their consciences from the torture of eternal self-condemnation, and their souls from the indelible stain of innocent blood. Let me suppose that you had seen the respite given, and that contrite and honest recommendation transmitted to that seat where mercy was presumed to dwell—that new and unheard-of crimes are discovered against the informer—that the royal mercy seems to relent, and that a new respite is sent to the prisoner—that time is taken, as the learned counsel for the Crown has expressed it, to see whether mercy could be extended or not—that after that period of lingering deliberation passed, a third respite is transmitted—that the unhappy captive himself feels the cheering hope of being restored to a family he adored, to a character he had never stained, and to a country that he had ever loved—that you had seen his wife and children upon their knees, giving those tears to gratitude which their locked and frozen hearts could not give to anguish and despair, and imploring the blessings of Providence upon his head, who had graciously spared the father, and restored him to his children—that you had seen the olive-branch sent into his little ark, but no sign that the waters had subsided.

"Alas! nor wife, nor children more
Shall he behold, nor friends, nor sacred home!"

No seraph mercy unbars his dungeon, and leads him forth to light and life; but the minister of death hurries him to the scene of suffering and of shame; where, unmoved by the hostile array of artillery and armed men collected together to secure, or to insult, or to disturb him, he dies with a solemn declaration of his innocence, and utters his last breath in a prayer for the liberty of his country. Let me now ask you, if any of you had addressed the public ear upon so foul and monstrous a subject, in what language would you have conveyed the feelings of horror and indignation? Would you have stooped to the meanness of qualified complaint? Would you have been mean enough——But I entreat your forgiveness—I do not think meanly of you. Had I thought so meanly of you, I could not suffer my mind to commune with you as it has done. Had I thought you that base and vile instrument, attuned by hope and by fear into discord and falsehood, from whose vulgar string no groan of suffering could vibrate, no voice of honour or integrity could speak, let me honestly tell you I should have scorned to fling my hand across it—I should have left it to a fitter minstrel. If I do not, therefore, grossly err in my opinion of you, I could use no language, upon such a subject as this, that must not lag behind the rapidity of your feelings—and that would not disgrace these feelings, in attempting to describe them. Gentlemen, I am not unconscious that the learned counsel for the Crown seemed to address you with a confidence of a very different kind; he seemed to expect a kind of respectful sympathy from you with the feelings of the Castle, and the griefs of chided authority. Perhaps, gentlemen, he may know you better than I do. If he does, he has spoken to you as he ought; he has been right in telling you that, if the reprobation of this writer is weak, it is because his genius could not make it stronger;

he has been right in telling you that his language has not been braided and festooned as elegantly as it might; that he has not pinched the miserable plaits of his phraseology, nor placed his patches and feathers with that correctness of millinery which became so exalted a person. If you agree with him, gentlemen of the jury—if you think that the man who ventures, at the hazard of his own life, to rescue from the deep the drowning honour of his country, must not presume upon the guilty familiarity of plucking it by the locks—I have no more to say. Do a courteous thing. Upright and honest jurors, find a civil and obliging verdict against the printer. And when you have done so, march through the ranks of your fellow-citizens to your own homes, and bear their looks as they pass along;—retire to the bosom of your families, and when you are presiding over the morality of the parental board, tell your children, who are to be the future men of Ireland, the history of this day. Form their young minds by your precepts, and confirm those precepts by your own example. Teach them how discreetly allegiance may be perjured on the table, or loyalty be foresworn in the jury-box. And when you have done so, tell them the story of Orr—tell them of his captivity, of his children, of his crime, of his hopes, of his disappointments, of his courage, and of his death. And when you find your little hearers hanging upon your lips, when you see their eyes overflow with sympathy and sorrow, and their young hearts bursting with the pangs of anticipated orphanage, tell them that you had the boldness and the justice to stigmatise the monster *who had dared to publish the transaction!*"

ON THE PROSECUTIONS AGAINST THE PRESS.

"The learned counsel has been pleased to say that he comes forward, in this prosecution, as the real advocate for

the liberty of the press, and to protect a mild and merciful Government from its licentiousness; and he has been pleased to add, that the constitution can never be lost while its freedom remains, and that its licentiousness alone can destroy that freedom. As to that, gentlemen, he might as well have said that there is only one mortal disease of which a man can die. It can die the death inflicted by tyranny; and when he comes forward to extinguish this paper in the ruin of the printer by a State prosecution, in order to prevent its dying of licentiousness, you must judge how candidly he is treating you, both in the fact and in the reasoning. Is it in Ireland, gentlemen, that we are told that there is only one disease that can be mortal to the press? Has he heard of nothing else that may be fatal to the freedom of publication? I know not whether the printer of the *Northern Star* may have heard of such things in his captivity, but I know that his wife and children are well apprised that a press may be destroyed in the open day, not by its own licentiousness, but by the licentiousness of a military force. As to the sincerity of the declaration, that the State has prosecuted in order to assert the freedom of the press, it starts a train of thought, of melancholy retrospect and direful prospect, to which I did not think that the learned counsel would have wished to commit your minds. It leads you naturally to reflect at what times, from what motives, and with what consequences, the Government has displayed its patriotism by prosecutions of this sort. As to the motives, does history give you a single instance in which the State has been provoked to these conflicts, except by the fear of truth and by the love of vengeance? Have you ever seen the rulers of any country bring forward a prosecution, from motives of filial piety, for libels upon their departed ancestors? Do you read that Elizabeth directed any of these

State prosecutions against the libels which the divines of her time had written against her Catholic sister, or against the other libels which these same gentlemen had written against her Protestant father? No, gentlemen, we read of no such thing; but we know she did bring forward a prosecution from motives of personal resentment; and we know that a jury was found time-serving and mean enough to give a verdict which she was ashamed to carry into effect. I said the learned counsel drew you back to the times that have been marked by these miserable conflicts. I see you turn your thoughts to the reign of the second James. I see you turn your eyes to those pages of governmental abandonment, of popular degradation, of expiring liberty, and merciless and sanguinary persecution—to that miserable period in which the fallen and abject state of man might have been almost an argument in the mouth of the atheist and the blasphemer against the existence of an all-just and an all-wise First Cause, if the glorious era of the Revolution that followed it had not refuted the impious inference, by showing that, if man descends, it is not in his own proper motion; that it is with labour and with pain; and that he can continue to sink only until, by the force and pressure of the descent, the spring of his immortal faculties acquires that recuperative energy and effort that hurries him as many miles aloft—he sinks, but to rise again. It is at that period that the State seeks for shelter in the destruction of the press; it is in a period like that, that the tyrant prepares for an attack upon the people, by destroying the liberty of the press—by taking away that shield of wisdom and of virtue, behind which the people are invulnerable—in whose pure and polished convex, ere the lifted blow has fallen, he beholds his own image, and is turned into stone. It is at those periods that the honest man dares not speak, because truth is too dreadful to be

told; it is then humanity has no ears, because humanity has no tongue. It is then the proud man scorns to speak, but, like a physician baffled by the wayward excesses of a dying patient, retires indignantly from the bed of an unhappy wretch, whose ear is too fastidious to bear the sound of wholesome advice, whose palate is too debauched to bear the salutary bitter of the medicine that might redeem him, and therefore leaves him to the felonious piety of the slaves that talk to him of life, and strip him before he is cold."

ON THE EMPLOYMENT OF INFORMERS.

"I tell you, therefore, gentlemen of the jury, it is not with respect to Mr Orr that your verdict is now sought; you are called upon, on your oaths, to say that the Government is wise and merciful; that the people are prosperous and happy; that military law ought to be continued; that the British constitution could not with safety be restored to this country; and that the statements of a contrary import, by your advocates in either country, are libellous and false. I tell you these are the questions, and, I ask you, can you have the front to give the expected answer in the face of a community who know the contrary as well as you do? Let me ask you how you could reconcile with such a verdict the gaols, the tenders, the gibbets, the conflagrations, the murders, the proclamations, that we hear of every day in the streets, and see every day in the country? What are the processions of the learned counsel himself, circuit after circuit? Merciful God! What is the state of Ireland, and where shall you find the wretched inhabitant of the land? You may find him, perhaps, in gaol, the only place of security—I had almost said, of ordinary habitation; you may see him flying by the conflagration of his own dwelling, or you may find his bones

bleaching in the green fields of his country, or he may be found tossing upon the surface of the ocean, and mingling his groans with those tempests, less savage than his persecutors, that drift him to a returnless distance from his family and his home. And yet, with these facts ringing in the ears and staring in the face of the prosecutor, you are called upon to say, on your oaths, that these facts do not exist. You are called upon, in defiance of shame, of truth, of honour, to deny the sufferings under which you groan, and to flatter the persecution that tramples you under foot. But the learned gentleman is further pleased to say, that the traverser has charged the Government with the encouragement of informers. This, gentlemen, is another small fact that you are to deny at the hazard of your souls, and upon the solemnity of your oaths. You are upon your oaths to say to the sister country that the Government of Ireland uses no such abominable instruments of destruction as informers. Let me ask you honestly, what do you feel, when in my hearing, when in the face of this audience, you are called upon to give a verdict which every man of us, and every man of you, know, by the testimony of your own eyes, to be utterly and absolutely false? I speak not now of the public proclamation of informers, with a promise of secrecy and of extravagant reward; I speak not of the fate of those horrid wretches who have been so often transferred from the table to the dock, and from the dock to the pillory; I speak of what your own eyes have seen, day after day, during the course of this commission, from the box where you are now sitting; the number of horrid miscreants who avowed, upon their oaths, that they had come from the seat of Government—from the Castle—where they had been worked upon by the fear of death and the hopes of compensation, to give evidence against their fellows; that

the mild and wholesome councils of this Government are holden over these catacombs of living death, where the wretch that is buried a man lies till his heart has time to fester and dissolve, and is then dug up a witness. Is this fancy, or is it fact? Have you not seen him after his resurrection from that tomb, after having been dug out of the region of death and corruption, make his appearance upon the table,* the living image of life and of death, and the supreme arbiter of both? Have you not marked, when he entered, how the stormy wave of the multitude retired at his approach? Have you not marked how the human heart bowed to the supremacy of his power in the undissembled homage of deferential horror? How his glance, like the lightning of heaven, seemed to rive the body of the accused, and mark it for the grave, while his voice warned the devoted wretch of woe and death—a death which no innocence can escape, no art elude, no force resist, no antidote prevent. There was an antidote—a juror's oath; but even that adamantine chain, which bound the integrity of man to the throne of eternal justice, is solved and molten in the breath that issues from the informer's mouth; conscience swings from her mooring, and the appalled and affrighted juror consults his own safety in the surrender of his victim,—

> 'Et quæ sibi quisque timebat,
> Unius in miseri exitium conversa tulere.'

Informers are worshipped in the temple of justice, even as the devil has been worshipped by Pagans and savages—even so, in this wicked country, is the informer an object of judicial idolatry—even so is he soothed by the music of human groans—even so is he placated and incensed by the fumes and by the blood of human sacrifices."

* In Ireland, the witnesses give their evidence seated on a chair placed on the table.

Shortly after this trial, the year 1798, a year written in blood in the annals of Ireland, arrived. Whether the account of the proceedings of Government, as detailed by Mr Curran in the preceding speech, be true, or whether the natural spirit of the Irish people led them to an unjustifiable discontent against their rulers, it is not for me to decide; but a rebellion was now engendered, quite unparalleled in the ferocity of its character. The people rose in great strength in different quarters, and a French invasion in some degree organised the exasperated rabble. It would be revolting to repeat, and perhaps impossible to convince the English reader of all the miseries which the violence of one party, and the fierce, unsparing, and unpitying reprisals of the other, inflicted during this frightful period. Military tribunals superseded law; summary executions excluded mercy; and rape, murder, torture, and conflagration, alternately depopulated and deformed the country. At such a season, Justice might be said *not to have time* to deliberate. Her victims were often denounced indiscriminately; often selected by personal hatred or religious prejudice; and too often desperately flung upon the pile rebellion lighted, in the hope that blood might drown its conflagration! It was a tremendous scene: Government, on the one hand, terrified into desperation; sedition, on the other, preferring death to endurance; and, in the few intervals which fatigue, rather than humanity, created, Religion waving aloft her "fiery cross," and exciting her clans to a renewal of the combat! The animosity rose at last to such a height, that political differences were almost considered as revolutionary symptoms; and the man who dared be liberal, seldom escaped the imputation of being rebellious. The consequence was, that the principal political opponents of Government retired from the country. The Habeas Corpus Act was suspended, and the slightest

suspicious surmise was the prelude to a lingering imprisonment. Mr Curran's situation was at this period extremely critical. Many barristers were implicated in the political transactions of the day; and his language, though always constitutional, had been always in a tone of high defiance. He was certainly marked out by the adherents of Government as peculiarly obnoxious; and many there were who would with pleasure have seen him ascend that scaffold which he was every day despoiling of its almost predestined victims. It is said, indeed, that he was at this time indebted for his security to the good Lord Kilwarden, who, from the very infancy of his professional career, seems to have watched over him like a guardian angel. When Attorney-General he did all he could to detach Curran from his party. The most tempting offers were made, accompanied by the most friendly admonitions; Curran was deeply affected by the kindness of his friend, but refused, at any price, to sacrifice his principles. If he was not to be tempted, he as plainly proved that he was not to be intimidated. He stood boldly and even indignantly forward, commencing what might be called a system of defensive denunciation. He advocated the accused; he arraigned the Government; he thundered against the daily exhibition of torture; he held up the informers to universal execration; and, at the hourly hazard of the bayonet or the dungeon, he covered the selected victim with the shield of the constitution. It is at this period of his professional career that the friend of liberty must delight to contemplate him. If he had not been, at least politically, as unstained as the ermine, he must have fallen a victim; and, with this consciousness, how nobly does he appear, wielding all the energies of law and eloquence in defence of the accused! Many there are who may still remember him rising in the midst of his *military audience,*

only excited by the manifest indignation of their aspect to renewed and more undaunted efforts. In every great case of high treason he was almost invariably assigned as counsel; and those who have throbbed with delight over the eloquence he exhibited, will grieve to hear that at that very time he was oppressed by serious personal indisposition, and obliged to submit, in a few months after, to a very severe surgical operation. On his way to London for that purpose, he paid a short visit to Donington Park, in Leicestershire, the seat of his noble friend, Lord Moira; and the state of his mind may be inferred from the following beautiful relic, addressed by him, with a copy of Carolan's Irish airs, to the Lady Charlotte Rawdon :—

"And she said unto her people, Lo! he is a wanderer, and in sadness; go, therefore, and give him food, that he be not hungry—and wine, that he be comforted. And they fed him, and gave him wine, and his heart was glad. And when he was departing, he said unto her, I will give unto thee a book: it containeth the songs of the bards of Erin, of the bards of the days that are gone. And these bards were prophets, and the griefs of the times to come were showed unto them, and their hearts were sore troubled, and their songs—yea, even the songs of their joy—were full of heaviness. This book, said he, will I give thee, and it shall be a memorial of the favours thou showedst unto me. And I will pray a prayer for thee, and it shall be heard, that thy days may be happy, and that, if sorrow should come unto thee, it may be only for a short time, and that thou mayest find comfort, even as I have done; so that thou mayest say, even as I have said, Truly I did not take heed unto my words when I said that I was as one without hope: surely I am not a wanderer; neither am I in a land of strangers."

LINES WRITTEN IN A LEAF OF THE BOOK.

"By the waters of Babylon we sat down, and wept when we remembered thee, O Sion."

———Carolan! thy happy love
No jealous doubts, no pang can prove;
Thy generous lord is kind as brave,
He loves the bard and scorns the slave;
And Charlotte deigns to hear thy lays,
And pays thee not with thoughtless praise;
With flowery wreaths the cup is crowned,
The frolic laugh, the song goes round:
The "hall of shells," the merry throng
Demand thy mirth, demand thy song:
Her echoes wait to catch thy strain,
And sweetly give it back again.
Then, happy bard! awake thy fire,
Awake the *heart-string* of thy lyre,
Invoke thy muse!—thy muse appears,
But robed in sorrow, robed in tears!
No blithesome tale, alas! she tells,
No glories of the hall of shells;
No joy she whispers to thy lays,
No note of love, no note of praise,
But to thy boding thought she shows
The forms of Erin's future woes;
The wayward fates that crown the slave,
That mar the wise, that crush the brave;
The tyrant's frown, the patriot's doom,
The mother's tears, the warrior's tomb.
In vain would mirth inspire thy song,
Grief heaves thine heart and claims thy tongue—
The strain from joy to sadness turns,
The bard would laugh—the prophet mourns.

He had, indeed, at this time fallen into the most extreme dejection. His corporal sufferings acutely added to the distress of his mind at the melancholy situation of his beloved country: he saw that country preyed upon by the very worst passions; he felt himself suspected, because he had done his duty; and he determined, should he survive his sufferings and his fatigue, to abandon Ireland for ever, and ask, as he said himself, a grave from America. To this afterwards happily relinquished determination, he thus beautifully alludes in his speech in the case of Mr Justice Johnston.

"No, my Lords, I have no fear for the ultimate safety of my client. Even in these very acts of brutal violence which have been committed against him, do I hail the flattering hope of final advantage to him; and not only of final advantage to him, but of better days and more prosperous fortune for this afflicted country—that country of which I have so often abandoned all hope, and which *I have been so often determined to quit for ever.*

'Sæpe vale dicto multa sum deinde locutus,
Et quasi discedens oscula summa dabam,
Indulgens animo, pes tardus erat.'

"But I am reclaimed from that infidel despair. I am satisfied that, while a man is suffered to live, it is an intimation from Providence that he has some duty to discharge, which it is mean and criminal to decline. Had I been guilty of that ignominious flight, and gone to pine in the obscurity of some distant retreat, even in that grave I should have been haunted by those passions by which my life had been agitated—

'Quæ cura vivos, eadem sequitur tellure repostos.'

And if the transactions of this day had reached me, I feel how my heart would have been agonised by the shame of the desertion; nor would my sufferings have been mitigated by a sense of the feebleness of that aid, or the smallness of that service, which I could render or withdraw. They would have been aggravated by the consciousness that, however feeble or worthless they were, I should not have dared to thieve them from my country. I have repented —I have stayed—and I am at once rebuked and rewarded by the happier hopes which I now entertain."

It is very fortunate that he was thus redeemed from that infidel despair, for some of his finest flights of eloquence were delivered after that period. There are some, and only some, of these preserved, at least in a way to

justify his reputation.* Of others, indeed, by incessant labour, I have found some traces, but they are all stamped with the sin of the reporters. His fine oration against the Marquis of Headfort shall be given entire as an Appendix, because its morality is so sublime, and its subject so interesting, that it would be a pity to mutilate what may be extensively useful. In a few years after this speech had been delivered, he was, strange to say, through the jocularity of a common friend, introduced to the noble defendant in St James's Street. It is a mistake to suppose, as has been asserted, that he declined all advocacy in actions for criminal conversation from the period of his own domestic calamity down to that of the trial against Lord Headfort. The fact is, in the very year preceding, he obtained one thousand pounds damages in the case of Pentland against Clarke. This case is not reported in the printed volume, but it was tried before Lord Avonmore, the very same judge who presided on the trial of Mr Curran's own action. The chief argument against him on that lamentable occasion was his alleged inconstancy; and there is a most curious passage in the speech before me, in which he takes occasion to anticipate that ground of defence, and leaves his own opinions on a subject on which, whether justly or unjustly, he was supposed to be so much interested. This speech is very little known.

"There is a species of defence, which perhaps the gentlemen on the other side may attempt to set up; I mean that of recrimination: and I have been led to think that acts of this kind proved against the husband ought not to prevent him from recovering damages for the seduction of his wife; for the consequence arising from illicit

* I have reason to believe that the speeches on Rowan's and Finnerty's trials, and in the case of Massey *v.* Headfort, and the arguments in the cases of Mr Justice Johnston and the Corporation of Dublin, were corrected by himself.

connections is widely different with respect to the husband and the wife: casual revelry and immorality in the husband is not supposed to cast an indelible disgrace upon the wife, and cannot defraud the children of their property, by introducing a spurious offspring, to which the infidelity of the wife may lead. Errors of this kind in the husband may not arise from an actual turpitude of heart; he may have committed errors of this kind, and yet be a good father; he may be a good citizen, he may be a good husband, notwithstanding he may not be entirely without blemish. I am not speaking of a constant scene of riot and excessive debauchery, but of acts which, though they are to be condemned, it is possible to atone for, by subsequent good conduct. Could the ill conduct of the husband entail upon the wife the character of a prostitute? No. But the consequences resulting from the conduct of the wife are of a very different nature indeed."

In this mournful year an episode occurred in the professional life of Mr Curran, highly indicative of his spirit, disinterestedness, and intrepidity—the capture and condemnation of Theobald Wolfe Tone—a very extraordinary man in very extraordinary times. The son of a coachmaker in Dublin, he was educated in Trinity College, where he distinguished himself, and was called to the Irish Bar in Trinity term, 1789. With little relish originally for the law, he soon, to use his own expression, ceased to wear "a foolish wig and gown," and applied himself devotedly to politics. At first he seems to have somewhat coquetted with the Whig party; but as he would not stoop low enough for them, and they would not go far enough for him, the overtures—for they were little more—terminated in Tone's undisguised disgust and the permanent hostility of Mr George Ponsonby. It was impossible, indeed, that any constitutional party in the state could have

conscientiously coalesced with Tone, seeing that his objects were the separation of the countries, and the establishment of what he called Ireland's independence, in the shape of a republic! His published journals leave no doubt as to his intentions. Agent and secretary to the Catholic body, and founder of the Society of United Irishmen—that he became even more than was suspected, is clear from a little anecdote which he himself relates. A group of idlers gossiping one day in the Four Courts, Plunket, who made one of them, thought it as well to be on the look out—a habit which grew on him. "Well, Tone, remember all I ask of you is *Carton*"—the future chancellor modestly contenting himself with the estate of the Duke of Leinster. Tone laughingly replied, "No, no, Plunket, the Duke's my friend, but I promise you Curraghmore." Curraghmore belonged to the Marquis of Waterford, and a Beresford stood at his elbow at the moment. Curran was one of Tone's intimates, and, according to his son, at that time participated in his political opinions. "I KNOW" says he, "that in the years 1794 and 1795, and particularly at the Drogheda Assizes in the former year, and on the occasion of the trial of Bird and Hammil, where they were both employed as counsel, he opened his mind to my father; and that on the main point—on the necessity of breaking the connection with England—they agreed." Mr Tone has not furnished us with the grounds for his knowledge. However, whatever Curran's theory might have been upon the subject, there can be no doubt he was too wise—ought I not rather to say, too sane a man?—to have even for a moment contemplated it as a reality. True, he loved Ireland in his heart's core, but he knew well a very problematical independence must have been waded to through her blood. Young Tone admits, indeed, that "he avoided committing himself in the councils of the United Irish-

men ;" and I can avouch that in his latter days no man more indignantly denounced the agitation of which he was an unwilling witness. "It goes to my heart, Phillips," he has often said, "to see those mean, miserable *hurdy-gurdy men* grinding their discord through the country." It was on Jackson's trial, to which reference has been made, that a paper was discovered completely compromising Tone. The ardent friendship, however, of men who abhorred his politics, saved his life ; indeed, the gentleness of his manners and the kindness of his nature rendered personal enmity almost impossible. Lord Clare and George Ponsonby seem alone to have entertained it. Through the interference of the honourable Marcus Beresford ! Mr George Knox, and Wolfe, the Attorney General ! ! he was permitted to expatriate himself. Accordingly, in the month of May 1795, Tone, with his wife, his sister, three children, and seven hundred pounds—his whole worldly treasure—sailed for America, where he landed in the August following. It is scarcely possible to conceive anything more desolate than his then condition. An exile from his country, an outcast from his profession, in a strange land, with heavy claims on him, and but scanty resources, it required fortitude such as he happily possessed, to sustain him. But his was a heroism made to defy misfortune. The first design was to have settled down as a farmer in Princeton, New Jersey, when letters from Ireland changed all his purposes, and turned his future life almost into a fairy tale. On the eve of his expatriation, he accompanied a friend, named Russell, to bid farewell to Thomas Addis Emmett, destined so soon to follow him. "He received us," says Tone, "in a little elliptical study, which he was building at the bottom of his lawn, and which he meant to consecrate to our meetings, if ever we lived to see Ireland emancipated." It was in a small

"triangular field, exactly like the one in Switzerland where Tell and his associates planned the downfall of the tyranny of Austria," that Tone developed his plan to his companions. He told them that he did not consider his compromise with Government extended farther than to the *banks of the Delaware;* and that his offence—great, no doubt—was abundantly expiated by his exile. This was mere casuistry, as it appears to me, unworthy of his character and understanding. No Government most assuredly would have spared his life, except on the implied, if not expressed, condition, that it was not to be employed for the future in compassing their destruction. The project, however, which he seriously entertained, seemed to carry on the face of it its utter impracticability. It was, apparently, as wild, as shapeless, and as visionary a phantom as ever possessed the brain of a monomaniac. This lonely and unfriended exile was to seek an introduction to the French minister in Philadelphia, to obtain from him an introduction to the French Directory in Paris, and from the Directory to obtain the invasion of Ireland! All the resources of a mighty republic—her fleets, her armies, and her treasures—were at once to become plastic in the hands of one who had not an acquaintance in the country or a guinea in the world, and whose first political experiment was a failure, followed by a banishment. Verily, the pen of Cervantes becomes rational in the comparison. Yet strange to say, Russell and Emmett (the latter one of the ablest men in Ireland) applauded the undertaking, and in the "triangular field" the vow of the three friends was pledged never to desert the cause of their country. They kept that vow. The emissaries of sedition were not inactive: the whole north of Ireland became one mass of organised discontent; and Tone in Philadelphia received from his friends supplications to proceed. The whole affair seems

like a romance, yet the romance was to become a reality. Impelled by the restless energies and indomitable perseverance of an expatriated refugee, France sent forth a mighty armament — the flower of her navy, and her veterans, with their hero at its head—"alone he did it." His first step was to wait upon citizen Adet, the resident French minister, tendering him, by way of credentials, certain complimentary certificates on vellum, which had been presented to him by the Roman Catholic committee. Adet, as might be expected, declined all communication. Tone, however, was not easily to be baffled: and on the 1st of February 1796, he landed at Havre with citizen Adet's recommendation to the Directory safe in his portmanteau. On his arrival in Paris, he proceeded to Monroe, the United States' ambassador, and procured from him an introduction to Clarke, afterwards Duc de Feltre. Nothing can be more interesting than the details in Tone's journal, from his first interview with Carnot, the "organiser of victory," in his "*petit* costume of white satin, with a crimson robe richly embroidered," down to his departure on the expedition which cost him his life. Well, indeed, did he redeem his pledge to Russell and to Emmett; and well and truly might he exultingly describe himself as "hunted from his own country as a traitor, living obscurely in America as an exile, and received in France by the executive Directory almost as an ambassador." Despite of every species of discouragement, from poverty, jealousy, suspicion, and distrust, did this forlorn but heroic man persist, till he trode the deck of the *Indomptable* of 80 guns, high in the command of an army numbering 15,000 choice troops, carried by a fleet of 17 sail of the line, 13 frigates, and 13 transports. Credulity is startled at this herculean result of the efforts of one man, and he an exile, a stranger, and a pauper. Such, indeed, were his neces-

sities, that, but a day or two before his appointment of *chef-de-brigade*, we find him without a shilling, obliged to apply to Carnot for the means of subsistence. The command of this fine expedition had been confided to Hoche, at that time the hope and hero of the French nation. Tone thus relates their meeting:—"I was sitting by appointment in Fleury's cabinet, when the door opened, and a very handsome, well-made young fellow, in a brown coat and nankeen pantaloons, entered and said, 'Vous, vous êtes le citoyen Smith?' I thought he was a chef-de-bureau, and replied, 'Oui, citoyen, je m'appelle Smith.' He said, 'Vous vous appellez aussi, je crois, Wolfe Tone?' I replied, 'Oui, citoyen, c'est mon veritable nom.' 'Eh bien,' replied he, '*je suis le General Hoche.*' This officer, much distinguished for the pacification of La Vendée, had in him all the elements of success. 'As to Bonaparte,' said he to Tone, 'set your mind at rest. He has been my scholar, but he shall never be my master.'" The fate of this magnificent expedition is well known. Violent storms arose, which separated the fleet, only sixteen sail of which arrived in Bantry Bay, where they lay for six days within five hundred yards of the shore, without even attempting to land the army. It seems the frigate which carried Hoche was missing; and Grouchy, the second in command, refused to incur any responsibility. How strange it is that this should be the self-same officer to whose indecision Napoleon attributed his defeat at Waterloo! Referring to Bantry Bay, he afterwards told Tone that he had shed tears fifty times at the recollection of the opportunity he had lost, and regretted much that he had not taken Bouvet by the collar, and thrown him overboard the moment he raised a difficulty about landing. On the 1st of January 1797, seven sail made the island of Ushant, being all that remained of forty-three sail which had

departed from Brest. Thus terminated this formidable operation—a result manifestly attributable to that Providence to whose mercies England owes so much. Hoche, to the absence of whose frigate the failure of the expedition seems attributable, was thus characterised by Napoleon at St Helena:—"He was one of the first generals that ever France produced. He was brave, intelligent, abounding in talent, decisive, and persevering; he was *intrigant* also. If Hoche had landed in Ireland, he would have succeeded. He possessed all the qualities necessary to insure success. He was accustomed to civil war, and knew how to conduct himself under such circumstances. He had pacified La Vendée, and was well adapted for Ireland. If Hoche had landed, Ireland was lost to you."

The next expedition, in all the final arrangements of which Tone was active, was that of the Texel, got up by the Dutch to aid that of Brest. It was to have been commanded by Daendels, a brave officer, who, on Hoche's recommendation, appointed Tone to the same rank in the Dutch, which he held in the French service—that of adjutant-general. The naval force consisted of fifteen sail of the line, ten frigates, and many sloops and transports. The land force amounted to thirteen thousand five hundred men, with three months' pay, and spare arms and ammunition. This expedition never sailed, owing, says Tone, quietly, to the "absence of fair winds." May it not have been to the presence of Admiral Duncan, who lay inopportunely off the mouth of the Texel? About this time, Hoche, scarcely yet in his prime, died of consumption. Such was the fate of these two memorable expeditions. It was on the 23d of May 1798 that a portion of the Irish people, irritated, but not disheartened, burst into premature rebellion. The Egyptian expedition, under Napoleon, had sailed but a few days before, thus forestalling the

flower of the French troops and navy. The indefatigable Tone instantly rushed to Paris to organise with ministers another expedition; nor was he unsuccessful. The proposed plan was to feed the Irish insurrection with minor detachments from different ports, until the main body, amounting to nine thousand men, under General Kilmaine, himself an Irishman, could be despatched. Had that gigantic armament, under Napoleon, sailed for Ireland instead of the East, and effected a landing there under circumstances so critical, who can calculate upon the possible consequences? Tone, who had three consultations with him on Irish affairs, thus describes the impression made on him at the first interview. "He lives in the Rue Chantereine, in the greatest simplicity: his house is small but neat, and all the furniture and ornaments in the most classical taste. He is about five feet six inches high, slender and well made, but stoops considerably: he looks at least ten years older than he is, owing to the great fatigues he underwent in his immortal campaign of Italy. His face is that of a profound thinker, but bears no marks of that great enthusiasm and unceasing activity by which he has been so much distinguished. It is rather, to my mind, the countenance of a mathematician than of a general. He has a fine eye, and great firmness about the mouth: he speaks low and hollow." It is a curious thing, and characteristic of the sagacity of Tone, that he expresses strong suspicion as to Bonaparte's sincerity on Irish subjects. Indeed he goes farther still, and hints that his projects had to encounter his active though secret discountenance! Tone was right, but it was not till twenty years afterwards, on the rock of St Helena, that the reason was disclosed. "If," said Napoleon to O'Meara, "the Irish had sent over honest men to me, I would have certainly *made an attempt upon Ireland;* but I had no con-

fidence either in the integrity or the talents of the Irish leaders that were in France. They could offer no plan, were divided in opinion, and were constantly *quarrelling with one another.*" Upon Tone, however, as we shall soon see, he passed a very different judgment. The third projected expedition, under Kilmaine, was frustrated by the impatience of General Humbert. This officer, despite of all arrangements, with a few frigates, a thousand men, a thousand spare muskets, and a thousand guineas, sailed prematurely from Rochelle. He effected a landing at Killala, where, indiscreetly lingering for a fortnight, he gained a signal victory at Castlebar, and was obliged finally to surrender to an overwhelming force under Lord Cornwallis. This was on the 8th of September 1798. The news had not reached France, when, on the 20th of the same month, General Hardy sailed from the Baye de Camaret with three thousand soldiers. Commodore Bompart had under his command the Hoche, 74, eight frigates, and a schooner. The fleet was dispersed by a storm, and, on the 10th of October, the Hoche, two frigates, and the schooner, were signalled by Sir John Borlase Warren in the bay of Lough Swilly. Bompart instantly ordered the frigates and the schooner to attempt their escape through shallow water, and heroically prepared his ship for action. A boat from the schooner offered Tone the almost certainty of an escape, of which he was vainly implored by his brother officers to avail himself. "No," said he, in answer to their entreaties, "never shall it be said that I fled while the French were fighting the battles of my country." Certain death, either on the deck or on the scaffold, he well knew awaited him! So it was a soldier's death, he cared not. For six hours did the gallant Bompart, in the Hoche, maintain a hopeless contest with four sail of the line and a frigate. "At

length," says Tone, "her masts and rigging were swept away, her scuppers flowed with blood, her wounded filled the cockpit, her shattered ribs yawned at every new stroke, and let in five feet water in the hold, her rudder was carried away," and thus barely floating on the waters, a dismantled wreck — she struck. Honour to Bompart—honour to the brave—enemy though he be. The fate of Tone was sealed. At a breakfast given to the French officers by Lord Cavan, he was recognised. The manner of the recognition was thus—I wish it were otherwise. While seated at the table with his brother officers, an old friend and fellow-student, entering with policemen, said, "Mr Tone, *I am very happy to see you!*" He was, of course, instantly arrested. He submitted without a murmur until they proceeded to place him in irons, when, flinging off his uniform, he indignantly exclaimed, "No! fetters shall never degrade the revered insignia of the free nation I have served. For the cause which I have embraced, however, I feel prouder to wear them than if I were decorated with the star and garter of England." On the 10th of November 1798 he was tried in Dublin by *court-martial!* Tone admitted all the facts, and merely read an address, vindicating his motives. "Under the flag of the French republic I originally engaged with a view to save and liberate my own country. For that purpose I have encountered the chances of war amongst strangers. For that purpose I have repeatedly braved the terrors of the ocean, covered, as I knew it to be, with the triumphant fleets of that power which it was my glory and my duty to oppose. I have sacrificed my views in life; I have courted poverty; I have left a beloved wife unprotected, and children whom I adored, fatherless. After such sacrifices in a cause, which I have always conscientiously considered as the cause of justice

and freedom—it is no great effort at this day to add—the sacrifice of my life." After the condemnation, which he made no effort to avert, he advanced one, and only one, request—that he might die a soldier's death, and be "shot by a platoon of grenadiers." "I request this indulgence," said he, "rather in consideration of the uniform which I wear—the uniform of a chef-de-brigade in the French army—than from any personal regard to myself." He produced his commission as chef-de-brigade, and of a letter of service as adjutant-general, proving that his rank was *bonâ fide*, and not merely assumed to serve a purpose. In point of fact he had served in the Army of England, in the Batavian army, and in that of the Sambre et Meuse, under Bonaparte, Desaix, and Kilmaine. This request was refused by Lord Cornwallis, who awarded him a traitor's death within eight-and-forty hours. Of the few friends who had escaped the scaffold, the triangle, and the dungeon, could there be found none fearless enough to recognise the fallen?—constitutional enough to assert the outraged dignity of the law?—noble enough to forget self-interest in the struggle? Yes, there was one—and only one: CURRAN was still alive. Tone was to die on the 12th of November. It was now the 11th! During the whole of that day did Curran toil through Dublin seeking amongst the wealthy Roman Catholics the means of retaining a bar to demonstrate the flagrant illegality of the trial! He spoke but to the winds. He could not obtain a shilling!! He then determined to proceed alone, when Peter Burrowes volunteered his assistance. On the morning of the day fixed for the execution, the moment the Court of King's Bench opened, the dauntless advocate advanced, leading Tone's aged father by the hand, who produced an affidavit that his son had been brought before a bench of officers who had sentenced

him to death. The scene at that moment passes all description—the breathless crowd, the heart-broken old man, the pure and venerable judge, and, above all, the voluntary and unrivalled advocate, the real friend—misfortune's friend—who, while all others held aloof, alone stood forward to hold the ægis of the law between injustice and its victim: to be appreciated, it must have been seen.

"I do not pretend," began Curran, "that Mr Tone is not guilty of the charge of which he is accused. I presume the officers were honourable men. But it is stated in this affidavit, as a solemn fact, that Mr Tone had no commission under his Majesty; and therefore no court-martial could have cognisance of any crime imputed to him whilst the Court of King's Bench sate in the capacity of the great criminal court of the land. In times when war was raging, when man was opposed to man in the field, courts-martial might be endured; but every law authority is with me, whilst I stand upon the sacred and immutable principle of the Constitution, that martial law and civil law are incompatible, and that the former must cease with the existence of the latter. This is not, however, the time for arguing this momentous question. My client must appear in this court. He is cast for death this very day. He may be ordered for execution whilst I address you. I call on the court to support the law, and move for a writ of *Habeas Corpus*, to be directed to the provost-marshal of the barracks and Major Sandys, to bring up the body of Tone."

CHIEF-JUSTICE.—"Have a writ instantly prepared."

CURRAN.—"My client may die whilst the writ is preparing."

CHIEF-JUSTICE.—"Mr Sheriff, proceed to the barracks, and acquaint the provost-marshal that a writ is preparing

to suspend Mr Tone's execution, and see that he be not executed."

In a short time the Sheriff, having returned, thus addressed the court—

"My Lord, I have been to the barracks in pursuance of your order. The provost-marshal says he must obey Major Sandys. Major Sandys says he must obey Lord Cornwallis."

At this time Mr Curran announced the return of Tone's father, with a message that General Craig refused to obey the writ of *Habeas Corpus*.

CHIEF-JUSTICE.—"Mr Sheriff, take the body of Tone into custody. Take the provost-marshal and Major Sandys into custody, and show the order of the Court to General Craig."

It was now universally believed that the military authorities, who had thus presumed to trifle with the powers of the King's Bench, would have had Tone executed on the instant. Lord Kilwarden, a great constitutional judge, was very much affected. "His agitation," said Curran, "was magnificent." It soon transpired, however, that Tone, indignant at the menaced degradation of his death, had, with a small penknife which he had managed to conceal, inflicted such a wound on his throat, that he had little to fear from this world's jurisdiction. The Chief-Justice, however, as a matter of precaution, ordered a writ to issue, suspending the execution. It is said, on the surgeon expressing an opinion that, as the carotid artery had escaped, the wound was not necessarily fatal, Tone faintly muttered, "I am sorry, then, to find that I have been so bad an anatomist." He survived, however, in silent agony, for seven days, when the same surgeon, seeing he was sinking, whispered to an attendant, "You must keep him as quiet as possible. If he speaks, he dies." "I thank you, sir,"

said Tone, who had overheard him; "you could not give me more welcome news. What should I wish to live for—" and expired.

Thus perished, on his "bloody pallet," in a loathsome dungeon, and by his own hand, the youthful apostle of Irish independence. Far, very far, indeed, be it from me to palliate the offences he so mournfully expiated. It is undoubtedly true, however, that oppressions then existed quite sufficient to sully England's fame, and arouse Ireland's indignation. They are gone; and no wise man, no honest man, certainly no loyal man, would willingly revive their memory. It is the duty of every true British subject to draw as closely as he can the bonds of love and brotherhood between the countries. United, they are free, happy, and invincible; separate them, and the noblest empire of which history ever wrote the annals, may soon pass away. In her page alone shall mankind then peruse those records of consummate legislative wisdom, those proofs of solid statesmanship, those glorious victories on flood and field, those mighty wonders of science and of art, of which it is our happier lot to reap the fruits, in the blessings of liberty, literature, and religion. There is no pretext now for selfish sedition to "sow the wind" in Ireland. What, alas! has she ever reaped from it but the whirlwind? Every wrong and grievance, to the redress of which Tone's eloquent memorials roused the might of France, is torn from the statute-book. Were he in existence now, it is my firm belief that, with Ireland's choicest spirits—with Flood and Plunket, with Burrowes and Grattan, and with Bushe—he would be found an associate in the ranks of loyalty. I say this, because every page of his history teems with proof that it was the sense of public wrong which made him a rebel: the wrong removed, the motive was no more. Tone was ear-

nest, disinterested, single-minded. His patriotism did not evaporate in words. He was essentially the man of action—an enthusiast, but a practical one. No personal motive seems fairly attributable to him. If he was a suppliant, it was always for his country—never for himself. If he urged others to enterprise, he never shrank from a participation in the danger. Opposing power, he never cringed to popularity, nor substituted a mob for the monarch he rejected. For one sole object, which he mistakenly believed to be his country's good—in exile, in poverty, in privations of every kind—to the last he persevered, sacrificing all that makes life dear, and daring and enduring all that makes death terrible. In the Irish House of Commons, Bushe thus generously and tenderly describes him : " That unhappy man now wastes upon the desert air of an American plantation the brightest talents that I ever knew man to be gifted with. I shall never speak or think of him with acrimony or severity. I knew him from early infancy as the friend of my youth and the companion of my studies ; and whilst I bear testimony to the greatness of his abilities, I shall always say of him, that he had a heart that nothing but the accursed spirit of perverted politics could mislead or deprave ; and I shall ever lament his fate, with compassion for his errors, admiration for his talents, and abhorrence for his political opinions."

It may not be out of place here to state that the regard in which Tone was held by the Directory was extended to his family after his death. His sons were educated at the public expense, and owed much to the active benevolence of Talleyrand. Lucien Bonaparte, as President of the Council of Five Hundred, thus winds up the beautiful speech which he addressed to them on the subject :— " Representatives of the people ! the widow, the children of Tone are before you. The law of the 14th Fructidor

only allows them a pension of 300 francs. But, in that very law, the case of eminent services, rendered in the cause of liberty, is foreseen. The families of heroes are then to be relieved by a special decree of this house. I claim this special decree." The motion was followed by the appointment of a committee, of which Joseph Bonaparte was a member. *His* nomination was a guarantee to the family that their interests were safe; a man of kindlier nature never perhaps existed.*

This little sketch would scarcely be complete without the graphic account which Tone's admirable widow gives of her first interview with Napoleon. He was on his return from the hunt in the forest of St Germains, and was changing horses when she presented a book and memorial to him :—"He handed the book to his *écuyer*, and opened the paper. When he began to read, he said, 'Tone, I remember well.' He read it all through, and two or three times stopped, looked at me, and bowed, in reading it. When he had finished, he said to me, 'Now speak to me of yourself.' I hesitated,

* I do not say this merely from hearsay. I knew him well during his residence in England, and insert here the first letter I received from him, in answer to mine announcing the death of our invaluable friend O'Meara. It is not merely a curiosity, but is also very characteristic of his goodness of heart :—

"LONDRES, 5 7bre, 1836.

"MONSIEUR,—Aujourd'hui seulement, au moment de mon départ pour la campagne, je reçois votre lettre à son retour des Etats Unis, d'où je suis arrivé moi-même il y a plus d'un mois. Vous m'annonciez la perte que nous avions fait d'un amis commun, que je me ferois un fête de revoir ici. Cet O'Meara étoit bien le meilleur des hommes; souvent il me parloit de vous, et j'aurois à vous redire les mêmes choses dont votre lettre est pleine à mon égard. Je compte, Monsieur, vous laisser cette lettre, si je n'ai pas le bonheur de vous rencontrer chez vous aujourd'hui, avec l'assurance de l'empressement que je mettrais à vous rechercher à ma rentrée en ville.

"Veuilliez agréer, Monsieur, l'intérêt véritable et la parfaite estime avec lesquels j'ai l'honneur d'être, Monsieur, votre affecte serviteur,

"JOSEPH, Compte de Survilliers.

"Monsieur Phillips,
49 Chancery Lane, Londres."

for I was not prepared for that question, and took small interest in the subject. He proceeded—'Have you a pension?' I said I had. 'Is it sufficient? Do you want any extraordinary succour?' By this time I had recovered myself, and said that his Majesty's goodness left me no personal want; that all my cares, all my interest in life were centered in my child, whom I now gave up to his Majesty's service. He answered, 'Be tranquil, then, on his account; be perfectly tranquil, then, concerning him.' I perceived a little half-smile when I said 'my child,' (*mon enfant.*) I should have said 'my son;' I knew it, but forgot. He had stopped so long that a crowd had gathered, and were crushing on, crying, '*Vive l'Empereur.*' He ordered two Napoleons a-piece to be given to some old women, and women with children, and drove on. On going, he nodded to me two or three times with affectionate familiarity, saying, 'Votre *enfant* sera bien naturalisé,' laying a playful emphasis on the word '*enfant.*'" Napoleon kept his word. He doubled the pension of Mrs Tone, raising it to 2400 francs during her life; appointed her son to be a scholar of the Government, and ordered her expenses, on placing him at the military school, to be repaid. In the twenty-second year of his age, Tone's son was appointed a cornet in the 8th chasseurs. He served with distinction from January 1813 to July 1815, when he resigned the service. At the memorable battle of Leipsic he received six lance wounds, and was promoted to a lieutenancy on the staff, appointed an aide-de-camp, and made a member of the legion of honour. He died very young, an officer in the army of the United States.

The application for a writ of *Habeas Corpus* made by Tone's counsel may, at first view, appear to have been superfluous. But it was not so. The fatal act of the prisoner had not transpired when the motion was made,

and there was a certainty that the execution would have taken place on the 12th of November. To obviate this, the motion—of the ultimate success of which there could be little doubt—was necessary. The result of a trial by jury must inevitably have been the same as that by court-martial. So far from denying his guilt, Tone denied it to be guilt, and gloried in it. What, indeed, could have been done for a man who volunteered such a boast as this—"I wish to spare the Court all useless trouble. The charge against me, I presume, is, that I have been found in arms against the soldiers of the King in my native country. I admit the accusation in its most extended sense. From my earliest youth I have regarded the connection between England and Ireland as the curse of the Irish nation, and felt convinced that, while it lasted, this country could never be free or happy. As to that connection, therefore, I repeat it—all that has been imputed to me—words, writings, and actions—I here deliberately avow. I have spoken and acted with reflection, and on principle, and am ready to meet the consequences. Whatever be the sentence of the Court, I am prepared for it. Its members will surely discharge their duty—I shall take care not to be wanting in mine." Acquittal, therefore, before any tribunal, was quite out of the question. Mr Curran's object was solely to gain time. Delay must necessarily have attended a trial at law, and opportunity would thus have been afforded for foreign interference. Indeed, it has since transpired, that the chiefs, both of the French and Batavian Republics, had solemnly assured Mrs Tone, that they would instantly claim her husband; that the English officers whom they had prisoners should be held as hostages for his safety; and if they had none of the same rank, the difference should be made up in numbers. In similar circumstances

Napoleon claimed Napper Tandy; the demand was acquiesced in, and Tandy was exchanged.

On the suppression of the rebellion in 1798, the state trials commenced: an anxious and awful portion of Mr Curran's life. Upon him devolved, in these sad times when every man trembled for his own safety—and, to seem loyal, it was necessary to be illiberal!—the almost hopeless task of defending the accused; a responsibility to be duly appreciated by none who have not incurred it. The advocate, upon whose breath human life may often hang —whose incautious word or indiscreet question may peril it, perhaps irretrievably, is often as little to be envied as the person he defends. Nor is it so easy a matter as it may seem, amid the toil, contention, and difficulties of a case, often having to choose between a variety of evils, to be always self-collected. In that disastrous era, all that eloquence, learning, zeal, and energy could effect, was effected by Mr Curran: seldom, however, with success. Marvellous, indeed, that it was ever so, when we remember that, independent of individual demerits, he had to combat not only the combined powers of the Government, but the passions, prejudices, fears, interests, and too often the factious zeal, which not unfrequently then peopled the jury-box. On one occasion, it is recorded, that not only were the bar and the jurors, but even the judge himself (Baron Medge) was habited *in uniform*. Seeing what he did, the dejected advocate might sometimes, however unjustly, think of the apothegm, *inter arma, leges silent.* The very first of these trials in which Mr Curran was employed, proves abundantly what he had to encounter, and with what brutal insensibility either his feelings or his sufferings were regarded. It was a most painful and interesting trial, that of the brothers John and Henry Sheares. These young gentlemen were barristers, well connected,

and, up to the then charge, of irreproachable character. Of that charge, however, if the witnesses were to be credited, they were unquestionably guilty: so much the more reason that their counsel should be allowed all indulgence that was not prohibited by law: so much, at all events, the more reason that he should not have been driven into his defence under every disadvantage. The indictment charged the prisoners, in the usual form, with the crime of high treason. The evidence to prove this charge was twofold. First, a proclamation found in an unlocked box, in a room accessible to every one in the house of John, his brother Henry being present at the time of the discovery. There was some slight, and not very satisfactory, evidence that this document was in John's handwriting. However, there was sufficient to go to the jury. As to the proclamation, supposing the proof to be conclusive, there could be but one opinion. Yet it is difficult to perceive how a participation in it was brought home to Henry. One passage from it will leave its intent beyond all doubt. "Arise then, united sons of Ireland! arise like a great and powerful people, determined to be free, or die. Arm yourselves by every means in your power, and rush like lions on your foes. Consider that, for every enemy you disarm, you arm a friend, and thus become doubly powerful. In the cause of liberty, inaction is cowardice, and the coward shall forfeit the property he has not the courage to protect. Let his arms be seized, and transferred to those patriot spirits who want, and will use them. Yes, Irishmen! we swear by that eternal justice, in whose cause you fight, that the brave patriot who survives the present glorious struggle, and the family of him who has fallen, or shall fall hereafter in it, shall receive from the hands of a grateful nation, an ample recompense out of that property which the crimes of our

enemies shall have forfeited into its hands, and his name shall be inscribed on the national record of Irish revolution, as a glorious example to all posterity; but, we likewise swear to punish robbery with death and infamy. . . . Vengeance, Irishmen! vengeance on your oppressors. Remember what thousands of your dearest friends have perished by their merciless orders. Remember their burnings, their rackings, their torturings, their military massacres, and their legal murders—remember ORR!" The second head of the evidence was, however, the most unfortunate, and that without which a verdict of guilty could scarcely have been satisfactorily arrived at—at least, in the case of Mr Henry Sheares—the evidence of Armstrong. It was evidence open to strong observation, and, in my mind, to considerable objection. This man was a captain in an Irish militia regiment, and had been introduced to the prisoners by one Byrne, a printer. His case was, that he had wormed himself into their confidence, they believing him to hold their principles, and that he day by day betrayed that confidence to the Government! Two officers of his own regiment, and Mr Cooke and Lord Castlereagh, he represented as the trustees of his treachery! "Every evening," said Mr Curran, "he returned like a bee, with his thighs loaded with evidence." Can anything be more detestable than this? Can turpitude be deeper or darker? Yes, here is the proof. "I am assured," says Mr Curran, in his very valuable Life of his father, "by a gentleman now in Dublin, and who is free from any political zeal which could induce him to invent or distort a fact, that upon his dining one day at the house of Henry Sheares, immediately before his arrest, he observed Armstrong, who was one of the guests, taking *his entertainer's little children upon his knee*, and, as it was then thought, affectionately caressing them!!!"

How the heart sickens at the contemplation of such a scene! Poor little children, whom the smiling fiend was fondling into orphanage! But can this be true? Dr Madden says, Armstrong admitted being the guest of Sheares, but excused himself by saying it was at the instigation of Lord Castlereagh. Instigation, forsooth! If he thinks this an excuse, let him have all its benefit; but to secure it credit, we should have heard of it during the lifetime of Lord Castlereagh. It has no credit from me. Had it been true, how could Armstrong withstand a challenge such as this? "What is the defence?—That this witness is unworthy of belief. My clients say their lives are not to be touched by such a man: he is found to be an informer; he marks the victim. You know the world too well not to know that every falsehood is reduced to a certain degree of malleability by an alloy of truth. Such stories as these are not pure and simple falsehoods. Look at your Oateses, your Bedloes, and Dugdales! I am disposed to believe, shocking as it is, that this witness had the heart, when he was surrounded by the little progeny of my client—when he was sitting in the mansion in which he was hospitably entertained—when he saw the old mother supported by the piety of her son, and the children basking in the parental fondness of the father—that he saw the scene, and smiled at it—contemplated the havoc he was to make, consigning them to the storms of a miserable world, without having an anchorage in the kindness of a father! Can such horror exist, and not waken the rooted vengeance of an eternal God? But it cannot reach this man beyond the grave, therefore I uphold him here.' I can imagine it, gentlemen, because, when the mind becomes destitute of the principles of morality and religion, all within the wretched being is left a black and desolated waste, never cheered by the rays of

tenderness and humanity. When the belief of eternal justice is gone from the soul of man, horror and execution may take up their abode in it. I can believe that the witness (with what view I cannot say, with what hope I cannot conjecture—you may) did meditate the consigning of these two men to death, their children to beggary and reproach—abusing the hospitality with which he was received, that he might afterwards come here and crown his work, having first obtained the little spark of truth by which the mass was to be put into animation!" Independent, however, of the vile perfidy admitted by this witness, there was an objection taken to his credit on the ground of infidelity. This he denied, but four respectable witnesses deposed to the fact from their previous knowledge of him. One of these, Lieutenant Shervington, swore that Armstrong not only handed Paine's *Rights of Man* to him, pronouncing it to be his "creed," but added that he would pique himself on being the executioner of his Sovereign! No one can doubt that evidence such as this, on which depended the lives of the two prisoners, not only opened a wide field for the exertions of their counsel, but required the full possession of all his energies; yet, at midnight, when the case for the prosecution had at length concluded, we are presented with the following miserable scene:

Mr Curran.—"My Lord, before I address you or the jury, I would wish to make one preliminary observation. It may be an observation only—it may be a request. For myself I am indifferent; but I feel I am now unequal to the duty—I am sinking under the weight of it. We all know the character of the jury; the interval of their separation must be short, if it should be deemed necessary to separate them. I protest I have sunk under this trial. If I must go on, the Court must bear with me; the jury may also bear with me. I will go on until I sink; but after a

sitting of *sixteen* hours, with only twenty minutes' interval, in these times I should hope it would not be thought an obtrusive request to ask for a few hours' interval of repose, or rather of recollection."

LORD CARLETON.—"What say you, Mr Attorney-General?"

MR ATTORNEY-GENERAL, (Toler.)—"My Lords, I feel such public inconvenience from adjourning cases of this kind, that I cannot consent. The counsel for the prisoners cannot be more exhausted than those for the prosecution." (They had a very different kind of responsibility.) "If they *do not choose* to speak to the evidence, we shall give up our right to speak, and leave the matter to the Court altogether. They have had two speeches already, and leaving them unreplied to, is a great concession."

LORD CARLETON.—"We should be glad to accommodate as much as possible. I am as much exhausted as any other person, but we think it better to go on."

MR CURRAN.—"Gentlemen of the jury, it seems that much has been conceded to us. God help us! I do not know what has been conceded to me, if so insignificant a person may have extorted the remark. Perhaps it is a concession that I am allowed to rise in such a state of mind and body, of collapse and deprivation, as to feel but a little spark of indignation, raised by the remark that much has been conceded to the counsel for the prisoners! Much has been conceded to the prisoners! Almighty and merciful God, who lookest down upon us, what are the times to which we are reserved, when we are told that much has been conceded to prisoners who are put upon their trial at a moment like this—of more darkness and night of the human intellect, than a darkness of the natural period of twenty-four hours!—that public convenience cannot spare a few hours to those who are accused for their

lives; and that much has been conceded to the advocate, almost exhausted in the poor remark which he has endeavoured to make upon it!

"My countrymen! I do pray you, by the awful duty which you owe your country—by that sacred duty which you owe your character—and I know how you feel it—I do obtest you, by the almighty God, to have mercy upon my client—to save him, not from the consequences of his guilt, but from the baseness of his accusers, and the pressure of the treatment under which I am sinking."

Of the speech which Mr Curran was compelled to make under such circumstances, nothing remains entitled to the name of a report. Almost every vestige of what was universally admitted at the time to rank with his greatest efforts, and in perhaps the most interesting of these State trials, has been allowed to perish. Yet the sensation he produced was prodigious. He was thoroughly roused by a refusal which, coming from Toler, he looked upon as a personal indignity, and his delivery was most impressive. Curran was a fine actor; endowed with great natural capabilities, still no one took more pains to improve and cultivate them. There was much in the occasion, and in the accessories surrounding it, to excite the imagination and operate upon the feelings. The solemn hour, the military audience, the station of the prisoners, their fraternity, the awful nature of the times, and the certain fate which must follow on conviction, gave weighty import to every word uttered by the advocate. Few of those precious words have been preserved, but his mode of dealing with the all-important testimony of Armstrong seems somehow to have escaped the general wreck. "But," said he, "gentlemen, suppose I am mistaken in both parts of my argument—suppose the prisoners (if the evidence were true) did compass the King's death, and adhere to the King's enemies

—upon what are you to found your verdict? Upon your oaths. And what are they to be founded upon? Upon the oath of the witness. And what is that founded upon? Upon this, and this only, that he does believe there is an eternal God—an intelligent Supreme existence—capable of inflicting eternal punishment for offences, or conferring eternal compensation upon man, after he has passed the boundary of the grave. But where the witness believes that he is possessed of a perishing soul, and that there is nothing upon which punishment or reward can be exerted, he proceeds, regardless of the number of his offences, and undisturbed by the terrors of exhausted fancy, which might save you from the fear that your verdict is founded upon perjury. Suppose he imagine that the body is actuated by some kind of animal machinery—I know not in what language to describe his notions—suppose his opinion of the beautiful system framed by the Almighty hand to be, that it is all folly and blindness, compared to the manner in which he considers himself to have been created, or his abominable heart conceives his ideas, or his abominable tongue communicates his notions—suppose him, I say, to think so—what is perjury to him? He needs no creed, if he thinks his miserable body can take eternal refuge in the grave, and the last puff of his nostrils sends his soul into annihilation! He laughs at the idea of eternal justice, and tells you that the grave, into which he sinks as a log, forms an intrenchment against the throne of God, and the vengeance of exasperated justice!

"Do you not feel, my fellow-countrymen, a sort of anticipated consolation in reflecting upon the religion which gave us comfort in our early days, enabled us to sustain the stroke of affliction, and endeared us to one another; and when we see our friends sinking into the earth, fills us with the expectation that we rise again—

that we but sleep for a while to wake for ever? But what kind of communication can you hold, what interchange expect, what confidence place in that abject slave, that condemned, despaired-of wretch—who acts under the idea that he is only the folly of a moment, that he cannot step beyond the threshold of the grave, that that which is an object of terror to the best and of hope to the confiding, is to him contempt or despair?

"Bear with me; I feel my heart running away with me; the worst men only can be cool. What is the law of this country? If the witness does not believe in God, or in a future state, you cannot swear him. What swear him upon? Is it upon the book or the leaf? You might as well swear him by a bramble or a coin. The ceremony of kissing is only the external symbol by which man seals himself to the precept, and says, 'May God so help me, as I swear the truth!' He is then attached to the Divinity on condition of telling truth; and he expects mercy from Heaven, as he performs his undertaking. But the infidel, by what can you catch his soul? Or by what can you hold it? You repulse him from giving evidence, for he has no conscience, no hope to cheer him, no punishment to dread."

At eight o'clock in the morning, when the fatal verdict was pronounced, the wretched brothers were seen clasped in each others' arms. When called up for judgment, Henry made an ineffectual attempt to address the court, but was soon overwhelmed by his emotions. John was more firm: his only request is most affecting. "The law says that I must suffer, and I am ready. But I have one request to make. I do not pray that I should not die, but that the husband, the father, the brother, and the son, all comprised in one person, holding these relations dearer in life to him than any man I know; for such a man I do not pray a pardon, for that is not in the power of the court, but I

pray a respite for such time as the Court in its humanity and discretion shall think proper." Lord Carleton, deeply affected, feelingly alluded to his own intimacy with the father and mother of the prisoners; and performed, what must have been to him, indeed, a painful duty. Toler moved that the sentence should be carried into execution on the *next day*—and so it was.

After the execution of the Sheares, the other state trials followed in quick succession. M'Cann, Byrne, and Bond, were all defended by Mr Curran. They were all convicted; but Bond's life was spared, in consequence of the compact of Government with the prisoners in Fort St George. Of his speeches in the two first cases nothing whatever remains. They have been carefully suppressed. A very meagre report of his defence of Bond is preserved. It is singular that a people, in whose dark history the mind finds no relief, save in the contemplation occasionally of a man of genius or patriotism, should suffer all memorials of such men to perish. What noble relics of Curran would have been preserved, had that excellent son, to whose filial piety his memory is so much indebted, been of an age, at this period, to record or to collect them. And yet even in this respect he is more fortunate than others of his time. Some of the *disjecta membra* have reached us; but Flood, Duquery, Yelverton, and Hussey Burgh, live but in tradition. The only passage in the speech for Bond, as reported, which indicates the talent of the speaker, is his description of Reynolds—a principal witness in some of these cases for the Crown. It is only just, however, to say that the friends of Reynolds declare him to have been much misrepresented. Allowance certainly should be made for the zeal and colouring of the advocate; and as speeches made *for a purpose*, and on *one side*, it is desired that the reader may consider them. They form, however,

part and portion of Mr Curran's professional history, which would be left imperfect by their omission. That Reynolds was a person of great presence of mind is manifested by a striking anecdote, which Mr Henry Grattan relates on the authority of Curran. Reynolds had incurred the suspicion of his associates, amongst whom was one Neilson, a man of gigantic stature. "They met one day in College Green, when Neilson "seized him with herculean force, and kept his arm under him as if in a vice. He hurried him along without opening his lips, until he got him into a dark entry off Thomas Street; and having got him in there, he exclaimed, 'Reynolds, what punishment, do you think, should be inflicted upon a villain who would betray you?' Reynolds was frightened; but having had time to collect himself, looking at Neilson, he exclaimed, 'Bring me to the atrocious villain, and with this hand I will blow his brains out!' He acted it well. Neilson said, 'Ah, you are doubted; I shall have you watched; if you go away, depend on it you will fall.' A few days after Reynolds betrayed them all." * The following is Mr Curran's denunciation of Reynolds :—

"Are you prepared, in a case of life and death, of honour and of infamy, to credit a vile informer? The perjurer of one hundred oaths—whom pride, honour, or religion could not bind—the forsaken prostitute of every vice, calls on you with one breath to blast the memory of the dead, and blight the character of the living! Do you think Reynolds to be a villain? It is true he dresses like a gentleman, and the confident expression of his countenance, and the tones of his voice, *savour strong of growing authority.* He measures his value by the coffins of his victims, and in the field of evidence appreciates his fame, as the Indian warrior does in fight, by the number of the

* *Grattan's Life and Times.*

scalps with which he can swell his victory! He calls on you by the solemn league of moral justice to accredit the purity of a conscience washed in its own atrocities! He has promised and betrayed—he has sworn and forsworn; and whether his soul shall go to heaven or to hell, he seems perfectly indifferent, for he tells you he has established an interest in both places! He has told you that he has pledged himself to treason and allegiance, and both oaths has he contemned and broken. At this time, when reason is affrighted from her seat, and giddy prejudice takes the reins—when the wheels of society are set in conflagration by the rapidity of their own motion—at such a time does he call upon a jury in Heaven's name to accredit a testimony blasted by his own accusation! Vile, however, as this execrable informer must feel himself, history, alas! holds out but too much encouragement to his hopes; for, however base and however perjured, I recollect few instances between the subject and the crown where informers have not cut keen and rode awhile triumphant upon public prejudice. I know of no instance where the edge of the informer's testimony has not been fatal, or only blunted by the extent of its execution, after he has retired from public view, hid beneath the heap of his own carnage. I feel, gentlemen, I ought to apologise to Mr Reynolds for placing him in this point of view, for I frankly own I have no authority save his own accusation. Gentlemen, you have been emphatically called on to secure the state by the conviction of the prisoner. I am less interested in the condition and political happiness of this country than you are, for probably I shall be a less time in it. I have then the greater claim on your confidence, when I caution you against the greatest and most fatal of revolutions—that which places the sceptre in the hands of the informer. These are probably the last words I shall ever speak to you, but

these last are directed to your salvation and that of your posterity, when they tell you that the reign of the informer is the suppression of the law. My old friends, I tell you that if you surrender yourselves to the mean and disgraceful instrumentality of your own condemnation, you will make yourselves fit objects for martial law. You will give an attestation to the British minister that you are fit for it, and your liberties will vanish, never, oh never to return. Your country will become a desert or a gaol, until the informer, fatigued with slaughter and gorged with blood, will slumber upon the sceptre of his perjury. It remains with you to say whether four species shall comprise the population of your country—the informer to accuse, the jury to condemn, the judge to sentence, and the prisoner to suffer. It regardeth not me what impression your verdict shall make on the fate of this country, but you it much regardeth. With the solemnity of a last bequest, I offer you the warning; and, oh! may the acquittal of a worthy and virtuous citizen, who takes refuge in your verdict from the vampire who seeks to suck his blood, be the blessed promise of peace, confidence, and security to this wretched, distracted, self-devouring population!"

It was upon this trial that, amid the clashing of arms, and the menaces of an infuriated faction, Mr Curran nobly exclaimed, "Proceed to do your office; you may assassinate, but you cannot intimidate me." After three several interruptions, he said, "I have very little, scarcely any hope, of being able to discharge my duty to my unfortunate client, perhaps most unfortunate in having me for his advocate. I know not whether to impute those inhuman interruptions to mere accident; but, I greatly fear they have been excited by prejudice." "Pray, Mr Curran," said the Court, "proceed with your defence, and, with the blessing of God, we will take care

that you shall not again be interrupted." Such was the temper of the times when judicial interference was absolutely necessary in order to procure a hearing for a prisoner's counsel—that prisoner on trial for his life! Such were the scenes through which Mr Curran had to labour—such the impediments he had hourly to surmount. But he did his duty nobly, though, as he afterwards said, he often felt it not improbable that the fate of the counsel might have preceded that of the client!

Towards the close of this dismal year he was employed at the bar of the House of Lords on behalf of Lord Henry Fitzgerald, the brother—of Pamela, the widow—and of the infant children—of Lord Edward Fitzgerald, against the Bill brought in by the Government to attaint that nobleman and vest his property in the Crown. This seems an anomalous proceeding, and very characteristic of the times. Of Lord Edward's guilt there could not be a question; but he had paid its penalty. Untried, he was, of course, unconvicted; and this proceeding was a species of posthumous trial, when the accused was incapable of defence. It was not, even, as if he had fled, and, by his own act, avoided a prosecution which he might have faced: he was in his grave. Lord Edward Fitzgerald was a nobleman of warm feelings, prepossessing manners, and most estimable private character. He had been in the British army, and served with credit under Lord Cornwallis in America, where he was wounded. Unfortunately for himself, he visited Paris during that revolution in which a sanguinary despotism profaned the name of liberty. Like many others of more experience than himself, he adopted the fantastic doctrines of the day. A Duke's son, he became citizen Fitzgerald; and, bearing a king's commission, he toasted the downfall of royalty amidst the drunken orgies of rebellion. This could not be overlooked, and, when on the eve of obtaining

a majority, he was dismissed the service. Imbued with French principles, and stung by personal indignity, he returned to Ireland, where he organised a conspiracy which convulsed the country. The plot was deeply seated and widely spread; and had its author, or at least one of its most ardent supporters, lived to guide it with his military experience, the position of Government might have been critical indeed. As it was, its leader lost and its outbreak premature, no computation makes the number of its victims less than 70,000—50,000 on the side of the rebels, and 20,000 of the King's forces. In these days confidence was made the medium of perfidy. The man who sat at his table, betrayed the host—the guest who fondled his children, sacrificed the father. There is no doubt now that Lord Edward's life was sold, though by whom is still matter of conjecture. His every movement was revealed to the Government; and on the 19th of May 1798, four days previous to the rebellion, he was arrested at the house of one Murphy, a feather merchant in Thomas Street. He was lying on his bed, with his coat off, after having dined, when Town-Major Swan and Captain Ryan entered the room. He instantly rose, having in his hand a kind of double stiletto, the handle being in the centre, from each end of which a sharp blade protruded, and commenced a desperate resistance. He severely wounded Swan, and stabbed Ryan mortally in the abdomen, when a shot from behind the door, fired by Major Sirr, disabled him. When thus helpless and overpowered by the soldiery, he received from some dastard a sabre wound across the neck. He died in Newgate on the third of the ensuing month, demanding repeatedly in his delirium, whether Dublin was not in flames? Mr Curran's speech against the Bill of Attainder is so shamefully reported, that there is scarcely a passage worthy of being extracted.

"I have been asked," said he, "by the committee, whether I have any defensive evidence? I am confounded by such a question. Where is there a possibility of obtaining defensive evidence? Where am I to seek it? I have often, of late, gone to the dungeon of the captive, but never have I gone to the grave of the dead, to receive instructions for his defence; nor, in truth, have I ever before been at the trial of a dead man! I offer, therefore, no evidence upon this inquiry, against the perilous example of which, I do protest on behalf of the public, and against the cruelty and inhumanity and injustice of which, I do protest in the name of the dead father, whose memory is sought to be dishonoured, and of his infant orphans, whose bread is sought to be taken away. Some observations, and but a few, upon the evidence of the informer, I will make. I do believe all he has admitted respecting himself. I do verily believe him in that instance, even though I heard him assert it upon his oath—by his own confession, an informer, and a bribed informer—a man whom respectable witnesses had sworn in a court of justice, upon their oaths, not to be credible on his oath—a man upon whose single testimony no jury ever did, or ever ought to pronounce a verdict of guilty—a kind of man to whom the law resorts with abhorrence, and from necessity, in order to set the criminal against the crime, but who is made use of for the same reason that the most noxious poisons are resorted to in medicine. If such be the man, look for a moment at his story. He confines himself to mere conversation only, with a dead man! He ventures not to introduce any third person, living or even dead; he ventures to state no act whatever done. He wishes, indeed, to asperse the conduct of Lady Edward Fitzgerald; but he well knew that, even were she in this country, she could not be called as a witness to contradict him. See, there-

fore, if there be any one assertion to which credit can be given, except this—that he has sworn and forsworn that he is a traitor—that he has received five hundred guineas to be an informer, and that his general reputation is, to be utterly unworthy of credit."

The following contains reflections worthy of every legislator's perusal, and of every statesman's study.

ON THE EFFECT OF PENAL LAWS.

"They have ever been found more to exasperate than to restrain. When the infliction is beyond the crime, the horror of the guilt is lost in the horror of the punishment; the sufferer becomes an object of commiseration, and the injustice of the State, of public odium. It was well observed, that in England the highwayman never murdered, because there the offender was not condemned to torture; but in France, where the offender was broken on the wheel, the traveller seldom or never escaped. What, then, is it in England that sends the traveller home with life, but the comparative mildness of English law? What but the merciless cruelty of the French law that gives the atrocious aggravation of murder to robbery? The multiplication of penal laws lessens the value of life; and when you lessen the value of life, you lessen the fear of death. Look to the history of England upon this subject, with respect to treason. Notwithstanding all its formidable array of death, of Saxon forfeiture, and of feudal corruption of blood, in what country do you read of more treasons or of more rebellions? And why?—Because these terrors do not restrain the traitor. Beyond all other delinquents, he is likely to be a person of that ardent, enthusiastic, and intrepid spirit, that is roused into more decisive and desperate daring by the prospect of peril. A government that means honestly will appeal to the affections, not the

fears of the people. A state must be driven to the last gasp, when it is driven to seek protection in the abandonment of the law—in that melancholy avowal of its weakness and its fear. Therefore it was not done in the rebellion of 1715, nor in that of 1745. I have hitherto abstained from adverting to the late transactions in Ireland; but I cannot defraud my clients or their cause of so pregnant an example. In this country, penal laws have been tried beyond any example of former times: what was the event? The race between penalty and crime was continued, each growing fiercer in the conflict, until the penalty could go no further, and the fugitive turned upon the breathless pursuer." His conclusion was very fine.

"Every act of this sort ought to have a practical morality flowing from its principle. If loyalty and justice require that these children should be deprived of bread, must it not be a violation of that principle to give them food or shelter? Must not every loyal and just man wish to see them, in the words of the famous Golden Bull, 'always poor and necessitous, and for ever accompanied by the infamy of their father, languishing in continued indigence, and finding their punishment in living, and their relief in dying?' If the widowed mother should carry the orphan heir of her unfortunate husband to the gate of any man who might feel himself touched with the sad vicissitudes of human affairs, who might feel a compassionate reverence for the noble blood that flowed in his veins, nobler than the royalty that first ennobled it, that, like a rich stream, rose till it ran and hid its fountain—if, remembering the many noble qualities of his unfortunate father, his heart melted over the calamities of the child—if his heart swelled, if his eyes overflowed, if his too precipitate hand was stretched forth by his pity or his gratitude to the poor excommunicated sufferers, *how could he justify*

the rebel tear or the traitorous humanity! One word more and I have done. I once more earnestly and solemnly conjure you to reflect that the fact—I mean the fact of guilt or innocence, which must be the foundation of this bill—is not now, after the death of the party, capable of being tried, consistent with the liberty of a free people, or the unalterable rules of eternal justice; and that as to the forfeiture and the ignominy which it enacts, that only can be punishment which lights upon guilt, and that can be only vengeance which breaks upon innocence." Pamela, the widow of Lord Edward, was the daughter of the Duke of Orleans and the celebrated Madame Genlis. The Bill of Attainder passed, contrary to every principle of justice. The estate, of which the widow and the orphan were thus heartlessly deprived, was moderate, but it was their all. It is a curious sequel to this very discreditable enactment, that the tenants on the forfeited property disclaimed the title thus obtained, and never paid a shilling rent to the Crown!*

Lord Edward Fitzgerald was a brave and able officer, much beloved by his friends, and respected by his enemies. Had he lived to guide the rebellion he had organised, it is impossible to say what might not have been the consequences. The people loved him for a name identified with the popular cause in Ireland, and revered him for the solemn religious enthusiasm of his character. They saw he was in earnest. No ignoble ambition, no sordid motive, sullied the daring chivalry of the soldier. Uninfluenced by personal interest or personal aggrandisement, his country acknowledged the claim which an exclusive love for her gave him to her allegiance. It is a melancholy reflection, that the fate of this estimable man, and of very many thousand others, might have been averted

* *Personal Recollections of Lord Cloncurry.*

by one-tenth part of the concessions which have since been accorded. Those who knew Lord Edward well, declare that his views were limited primarily to parliamentary reform; and that the obstinate refusal to concede it, finally determined him on the separation of the countries: an insane attempt, the success of which would most probably have ruined both. Mr Curran did not live to see the reversal of this attainder, which took place in the year 1819, a year and a half only after his death, during George the Fourth's regency. It is to be regretted that he did not hear the recognition of the principles on which he opposed the bill from the lips of the prime minister of England. Lord Liverpool declared, that the reversal originated, not so much in the royal clemency, *as in a sense of the injustice of the attainder itself.* Lord Edward's only son was a distinguished officer in the British army, and was admitted to be such by the honourable testimony of the Duke of Wellington. The following fine lines were addressed to the Regent by Lord Byron on the reversal of the attainder:—

"To be the father of the fatherless,
To stretch the hand from the throne's height, and raise
His children who expired in other days
To make thy sire's sway by a kingdom less—
This is to be a monarch, and repress
Envy into unutterable praise.
Dismiss thy guard, and trust you to such traits,
For who would lift a hand except to bless?

"Were it not easy, sir, and is 't not sweet
To make thyself beloved? and to be
Omnipotent by Mercy's means? for thus
Thy sovereignty would grow but more complete,
A despot thou, and yet the people free!
And by the heart, not hand, enslaving us."

When the scaffold of 1798 had despatched its last victim, Mr Pitt prepared to effect the legislative Union; and for this purpose Robert Stewart, Lord Castlereagh, was selected

as the instrument. A more suitable one could scarcely have been chosen. Of noble aspect and most courteous manner, he was formed to conciliate; firm in his principle, and dauntless in his bearing, he was not to be intimidated—qualities valuable in a country where cajolery does much, and in a day when talent without courage could do nothing. It was a daring design of which the youthful statesman undertook the execution. He had not merely to annihilate the independence of the country, but he had to compel its legislature to an act of suicide. The time, as it appears to me, for discussing the policy of this measure has long passed away; and its projected repeal, if such were ever seriously contemplated, constitutes one of Ireland's monster calamities. Such discussions have done incalculable mischief. The public mind has been deranged, the nation's morals vitiated; industry—a great want in Ireland—has been suspended and discouraged; and capital—a greater still—effectually scared away. The people have been seduced from the paths which lead to competence and peace, into marshes full of peril, where the phantom they pursue, receding at their approach, still lures them onward with the light "that leads astray." Ireland is in want and wretchedness and misery, no doubt, and there is nothing more easy than to attribute it to the Union: the question arises, however, Is not such a state of things rather attributable to those who will not permit its operation? Can it be doubted that, where a fertile soil, a salubrious climate, unworked mines, wasted water-force, abundant fisheries, and every temptation to commercial enterprise, invite British investment, capital would long ago have filled the land with happiness and plenty, were it not for the wild and wicked war-whoop which warns it away? With the attainment of Roman Catholic emancipation, agitation should have ceased in Ireland;

and until it does cease, the country must retrograde. He who can educate Ireland into this truth will be her real patriot, her best benefactor. No repeal is wanted. Her destiny is in her own hands. Let but one-half of her representatives stand firmly together, and, in the present state of parties, her interests are secure. Mr Curran was an inveterate enemy to the Union, and foresaw from it the most dismal consequences. So were many who would never think of advocating its repeal. It is well known that Mr Fox was of this number. There is a letter extant from him to Mr Dennis O'Brien, in which the phrase occurs, "we must move heaven and earth against the Irish Union;" and yet, when he was asked to advocate its repeal, the answer was, "No, no; to oppose the passing of a measure, and to vote for its repeal after it has passed, are very different things." The idea of repeal certainly never was broached by Mr Curran; and yet, so far back as 1796, he thus predicted the attempt to carry a Union, and its consequences:—"If any one desires to know what a Union with Great Britain would be, I will tell him. It would be the emigration of every man of consequence from Ireland; it would be the participation of British taxes without British trade; it would be the extinction of the Irish name as a people. We should become a wretched colony, perhaps leased out to a company of Jews —as was formerly in contemplation—and governed by a few tax-gatherers and excisemen, unless possibly you may add fifteen or twenty couple of Irish members, who might be found every session sleeping in their collars under the manger of the British minister." It is curious enough, after this, to find himself a candidate for a seat in the Imperial Parliament. Those, however, who voted for it, he held almost in abhorrence. He was one day, shortly after the debate, setting his watch at the post-office, which

was then opposite the late Parliament House, when a noble member of the House of Lords said to him, with unblushing jocularity, "Curran, what do they mean to do with that useless building? For my part, I am sure I hate even the sight of it." "I do not wonder at it, my lord," replied Curran contemptuously; "I never yet heard of *a murderer* who was not afraid of *a ghost*."

He used to relate with great glee a mishap which befell a Roman Catholic bishop who went up to the Castle to adulate the Lord-Lieutenant. The Roman Catholic opposition had been neutralised by promises, retributively unfulfilled for nearly thirty years. It seems one of Lord Cornwallis's eyes was smaller than the other, and had acquired a quick, perpetual, oscillating motion. The addressers, who had never seen him, had elaborated their compliments in the country. His excellency was on his throne in high state, when Bishop Lanigan of Kilkenny, at the head of his clergy, auspiciously commenced:—

"Your Excellency has always kept *a steady eye* upon the interests of Ireland"—the room was in a roar. "Never," said Curran, "did I hear its match, except in the Mayor of Coventry's compliment to Queen Elizabeth—"When the Spanish Armada attacked your Majesty, ecod, they caught *the wrong sow by the ear!*"

The debates on the Union called into operation all the oratorical talent of the country, but their record has been as far as possible suppressed. The volume containing the Session of 1800 is difficult to be procured—so difficult, that it has been sought for in vain to complete the series in the library of the House of Lords. It has been my good fortune to preserve a few of the most eloquent passages of the most eloquent speakers, and their preservation becomes now most important in consequence of Lord Londonderry's recent publication. In that nobleman's edition of the

Castlereagh papers, the appendix contains a document very strangely entitled, "Means by which the Irish Union was carried." It purports to be a communication from some correspondent in Dublin. It is composed of three extracts, the very dates of which show it to be impossible that the title prefixed to the document could be sustained by them, the latest date being the 16th of January 1800, six months before the passing of the measure, and *very busy months*, indeed, they were. One of the charges against the Irish government was, that it wickedly fomented the rebellion in order to facilitate their projected measure—a charge, the very atrocity of which defeats its purpose. If the document in question merely sought to exonerate the government from that calumny, not a word need have been said. But the title is far too comprehensive for so limited a construction. Of course, the high character of the noble Marquis precludes the possibility of this being other than a mistake; but it is one that, coming from such authority, calls imperatively for correction. It would be unjust not to transcribe the extracts which Lord Londonderry gives in justification of his title. The first is a quotation from a speech of Mr Peter Burrowes, at a meeting of the Irish Bar held on the 9th of December 1798.

"That this measure will not be carried by fraud or by force, I am fully convinced. The illustrious nobleman who presides here, and whom I am disposed to contemplate as a messenger from Heaven, sent to stop the effusion of human blood and the progress of human crime, is my security."

The second is from a speech of Mr Leeson, the high Sheriff, at a meeting of the county of Dublin, held on the 4th of January 1799.

"I give a certain delegated character (Lord Cornwallis) the highest credit for his intentions and his efforts to stop

the effusion of human blood. But I lament that this criminal mercy is to be purchased at the expense of the independence, liberty, and prosperity of Ireland."

The third is from a speech of Mr Plunket's, in a debate on the amendment to the address on the 16th of January 1800.

"I do not mean to inquire too minutely why the embers of extinguished rebellion have been so long suffered to exist. I do not wish to derogate from the praise to which the noble lord may be entitled for his clemency; its very excesses, if they do not claim praise, are entitled to indulgence." There is a fourth passage from Sir Jonah Barrington's work to the same effect. "Here," exclaims Lord Londonderry, "is the evidence of the most eloquent, as well as the most inveterate enemies of the Union, that peace, justice, and mercy were among the means employed to effect that measure." Now, even admitting that to be so, it by no means justifies the title—"means by which the Union was effected." But the reader will not fail to observe, that the date of the latest of these extracts is January 1800. It may be as well also to inform him that the vaunted "means," "peace, justice, and mercy," were so far from being effectual, that the Session was abruptly closed, and, after an interval of some months, Lord Castlereagh succeeded in securing a majority!!

But how? By "peace, justice, and mercy," forsooth! England shall judge; and, that the noble Marquis may have no cause of complaint, two of the witnesses shall be the very men whom he has called. Neither let it be supposed that their eloquent assertions were mere declamation: they were flung at Lord Castlereagh himself, and testimony tendered as to their truth. What says the beforementioned Mr Peter Burrowes? "But, is the parliament to which he thus primarily and exclusively resorts, left to

exercise its unbiassed judgment? I shall not dwell on this odious subject: I shall not compare the black list with the red book, or, enumerate those who lost, and those who gained office: I shall not anticipate those posthumous funeral honours which await some who have undertaken for the extinction of the constitution of their country, if they shall succeed in their pious labours. Neither shall I allude to those Phœnix judges who are to spring out of the ashes of the Irish legislature. I do not like even to think of those deluded men, who forgot they had a country probably because they thought their country would not survive to remember them. I turn to a more grateful subject. The virtue of this house triumphed over the minister, and refuted the calumnies which were levelled even more at your existence than your fame. The measure was defeated—tranquillity was restored, and what, if possible, was better, this house was raised in the public estimation, and endeared to the heart of every Irishman. This was a consummation devoutly to be wished: this was an accidental good flowing from the miscarriage of a bad measure, at which a wise minister would have exulted, and upon which he might have improved. What *was* the conduct of the minister? He suddenly changes, if not his principles, his practice. He appeals from the refractory competence of parliament to the derided sovereignty of the people; the people became everything—the parliament nothing; compared with him, Tom Paine dwindles into an aristocrat. Can it be credited in Europe?—can it be credited by posterity?—that the minister who has lavished so much treasure and blood in combating republican principles in France—to whose mind jacobinism is a compendium of every crime—who cannot hear the physical strength of a country mentioned without horror—that this minister should dive into cellars, and mount up to garrets,

to solicit plebeian signatures against the ancient constitution of Ireland—that he should set on foot a poll of the populace against the constitution—that he should blacken the columns of the Government prints with the names of day labourers of the lowest description, attesting in favour of his jacobinical innovation!" So far Mr Burrowes. What says Mr Plunket, the second witness, as to the "means by which the Union was effected."

"The public will not easily forget that memorable day when the usher of the black rod was stationed at the doors of the Commons to watch the instant at which the House assembled. The public will not easily forget the indecent precipitation with which the message from the throne was delivered, without allowing time even for the ordinary vote of thanks to you, sir, for your conduct in that chair. They will not easily forget, not the absence, but the disgraceful flight of the minister of the country to avoid the exposure and the punishment of guilt. When the functions of this House were superseded, his Excellency, for the first time, thought proper to inform them of the resolutions of the British Parliament, and he was further pleased to insinuate that it would be a great satisfaction to him in his old age if we would be so good as to adopt this measure of an impending union. I must, for one, beg to be excused from making quite so great a sacrifice from mere personal civility to any Lord-Lieutenant, however respectable he may be. The independence of a nation, I must own, does not appear to me to be exactly that kind of bagatelle which is to be offered by way of compliment, either to the youth of the noble lord who honours us by his presence in this house, or to the old age of the noble marquis who occasionally sheds his setting lustre over the other. To the first I am disposed to say, in the words of Waller,—

'I pray thee, gentle boy,
Press me no more for that slight toy.'

And to the latter I might apply the language of Lady Constance—'That's a good child—go to its grandam—give grandam kingdom, and its grandam will give it a plum, a cherry, and a fig—there's a good grandam.' I hope, therefore, sir, I shall not be thought unpolite if I decline the offer of the constitution of Ireland, either as a garland to adorn the youthful brow of the Secretary, or to be suspended over the pillow of the Viceroy.

"Thus ended that never-to-be-forgotten session. What has since been done? During the whole interval between the sessions, the same bare-faced system of parliamentary corruption has been pursued — dismissals, promotions, threats, promises. In despite of all this, the minister feared he would not succeed in Parliament, and he affected to appeal to what he had before despised—the sentiment of the people. When he was confident of a majority, the people were to be heard only through the constitutional medium of their representatives; when he was driven out of Parliament, the sense of the people became everything. Bribes were promised to the Catholic clergy, bribes were promised to the Presbyterian clergy. I trust they have been generally spurned with the contempt they merited. The noble lord understands but badly the genius of the religion in which he has been educated. You held out hopes to the Catholic body which were never intended to be gratified, regardless of the disappointment and indignation, and eventual rebellion, which you might kindle—regardless of everything, provided the present paltry little object were obtained. In the same breath you held out professions to the Protestant equally delusive; and having thus prepared the way, the representative of Majesty set out on his mission to court the sovereign majesty of the

people. It is painful to dwell on that disgraceful expedition. No place too obscure to be visited—no rank too low to be courted—no threat too vile to be refrained from—the counties not sought to be legally convened by their sheriffs—no attempt to collect the unbiassed suffrages of the intelligent and independent part of the community—public addresses sought for from petty villages, and private signatures smuggled from public counties—and how procured? By the influence of absentee landlords, not over the affections, but over the terrors of their tenantry, by griping agents and revenue officers; and after all this mummery had been exhausted, after the lustre of royalty had been tarnished by this vulgar intercourse with the lowest of the rabble—after every spot had been selected where a paltry address could be procured, and every place avoided where manly sentiment could be encountered—after abusing the names of the dead, and forging the signatures of the living—after polling the inhabitant of the gaol, and calling out against the Parliament the suffrages of those who dared not come in to sign them till they had got their protection in their pocket—after employing the revenue officer to threaten the publican that he should be marked as a victim, and the agent to terrify the shivering tenant with the prospect of his turf-bog being withheld if he did not sign your addresses—after employing your military commanders, the uncontrolled arbiters of life and death, to hunt the rabble against the constituted authorities—after squeezing the lowest dregs of a population of about five millions, you obtained about five thousand signatures, three-fourths of whom affixed their names in surprise, terror, or total ignorance of the subject. And after all this canvass of the people, and after all this corruption wasted on the Parliament, and after all your boasting that you would carry the measure by a triumphant majority,

you do not dare to announce the subject in the speech from the throne! You talk of respect for our gracious Sovereign. I ask what can be a more gross disrespect than this tampering with the royal name? Pledged to the English Parliament to bring this measure before us at a proper opportunity—holding it out to us at the close of the last session, and not daring to hint it at the beginning of this! Is it not notorious why you do not venture to bring forward the measure now? Because the fruits of your corruption have not yet blossomed—because you did not dare hazard the debate last session, in order to fill up the vacancies which the places bestowed by you avowedly for this question had occasioned, and because you have employed the interval in the same sordid traffic, and because you have a band of disinterested patriots to come in and complete the enlightened majority who are to vote away the liberties of Ireland."

These are two of the identical authorities which Lord Londonderry himself has quoted. Two others only shall be added, as much on account of their indignant eloquence as of the frightful fidelity of the description.

Mr Grattan.—"You have set up a little king of your own, and a principal servant of the Crown, speaking to the House of Commons, and talking of his Prince with the vulgar familiarity with which a slave would salute his fellow—'Half-a-million or more was expended, some years ago, to break an Opposition—the same, or a greater sum, may be necessary now!' The House heard him—I heard him: he said it, standing on his legs, to an astonished House and an indignant nation; and he said so in the most extensive sense of bribery and corruption. The threat was proceeded on—the peerage was sold; the caitiffs of corruption were everywhere—in the lobby, in the streets, on the steps, and at the door of every parlia-

mentary leader, whose thresholds were worn by the members of the then administration, offering titles to some, amnesty to others, and corruption to all."

MR BUSHE.—"Let me advise the noble lord to weigh well and consider deeply the probable permanency of a measure so conducted; let me implore him to avail himself of the passing experience of his own day, and of the instructions which history may afford him; and when he sees volcanic revolutions desolating the face of the political world—the first elementary principles of society loosening and dissolving, and empires, not built upon the liberties of the people, crumbling into dust—let him contemplate the awful change which he is about to accomplish, and consider the dreadful responsibility he incurs to his Sovereign, by exchanging the affections of a loyal nation for the reluctant obedience of a degraded and defrauded province. Let him look for the permanency of this transaction something farther than to the vote of the night or the job of the morning; and let him have some better document than his army-list for the affections of the people. Let him consider whether posterity will validate this act—if they believe that the constitution of their ancestors was plundered by force, or was filched by practice. Let him, before it be too late, seriously ponder whether posterity will validate this act—if they believe that the basest corruption and artifice were exerted to promote it—that all the worst passions of the human heart were enlisted into the service, and all the most depraved ingenuity of the human intellect tortured to devise new contrivances of fraud. I do not say those things have been. I state hypothetically, and ask, if posterity believe such things, will they validate the transaction? If they believe that there was foul play from the first moment to the last, both within doors and without—that the rabble were appealed

to from the Parliament, and debauched or intimidated to petition against the constitution of their country—if they believe that, in Parliament, the disgust of the measure, notwithstanding a proscription which made office incompatible with honour, stained the Treasury bench—that the disgust of the measure broke asunder and dissociated some of the tenderest and most delicate ties of human life—that the nominal office of Escheator of Munster became an office of honourable competition, and, after the Parliament was thus reduced, that the Irish Commons were recruited from the English staff!—if they were to believe these things, and that human frailty and human necessities were so practised upon, that the private sentiments and the public conduct of several could not be reconciled, and that, where the Minister could influence twenty votes, he could not command one 'Hear him!' I say not these things are so, but I ask you if your posterity believe them to have been so, will posterity validate this transaction? I answer, that where a transaction, though fortified by sevenfold form, is radically fraudulent, that all the forms and solemnities of law are but so many badges of the fraud, and that posterity, like a great court of conscience, will pronounce its judgment. Let me not be misunderstood—I am sure I shall be misrepresented. Odious as this measure is in my eyes, and disgusting to my feelings, if I see it carried by the free and uninfluenced sense of the Irish Parliament, I shall not only defer and submit, but I will cheerfully obey. It will be the first duty of every good subject. But fraud, and oppression, and unconstitutional practice may possibly be another question. If this be factious language, Lord Somers was factious—the founders of the Revolution were factious—William the Third was a usurper, and the Revolution was a rebellion. For what did James the Second lose his crown? Can the case of

the seven bishops be compared with the case of Ireland? I shall not draw the parallel.

"I have too long troubled you; but before I sit down, let me, for once, conjure this house to consider whether this be a transaction upon which altogether they are willing to commit themselves, their properties, their characters, and their children? Let me conjure you to weigh that question well, if private honour and public virtue be not a name, and if every generous feeling be not banished from amongst us. Where is that spirit which in the year 1782 swelled the crest and glorified the character of the Irish gentry—which achieved liberty for yourselves, and extorted justice from England, and admiration from Europe? Is it fled and extinguished for ever? I will not believe it; but were every appeal to everything human fruitless, I would invoke that Providence which even in my short life has so often stretched its protecting arm over my country: in my short life, that country from a province has become a nation—has been protected from a bloody rebellion and a formidable invasion, and has seen one desperate attempt against her liberties and constitution frustrated and overthrown. I will rely on God to save Ireland."

Such were the means by which the Union was carried; and so notorious was their operation, that men, who in January voted against the measure, were found in June unblushingly swelling the ranks of the majority in its favour! One wretch, on being reproached with having sold his country, jocularly "thanked heaven he had a country to sell." Plebeian peers sprang up like mushrooms—men wore the ermine who, in Curran's words, "never had been advocates until they became judges." To do the Government justice, the promises temptation made were kept. Each venal traitor had the filthy bribe at which his sordid soul was valued; but one Judas was found, who, from

self-knowledge, would not trust his purchasers, and Mr Curran assured me, his price was paid to him in one of the lobbies before he voted! Such was the parliament over whose extinction modern Irish patriotism mourns! and such were the men whom an inveterate credulity would fain recall! Sharing this credulity once, I share in it no longer. Who can recollect the returns consequent on the Emancipation Act—who can even now behold the iron despotism openly influencing every Irish election, and doubt for a moment of what materials their parliament would be composed, or by whom it would be packed, or what unhallowed acts it would be compelled to perpetrate? No, no; honest representatives can well serve their country in an English senate should they feel so disposed; and of the dishonest, to sell it in a native one, we have had enough.

No man, perhaps, felt more acutely than Mr Curran the enactment of the Union: he considered it as the extinction of all hope for Ireland. However, upon what foundation, even before that measure, any hope could have rested, it is extremely difficult to discover. To me, looking dispassionately back upon the social and political state of that unhappy land, there seems to have been room for nothing but despair. What was then her social position? The peasantry were serfs, ignorant, imbruted, and debased; in the language of Lord Clare, "ground down to the dust by relentless landlords"—holding their wretched tenements at rack-rents, joint tenants with the swine that paid them. The landlords themselves, descendants from a reckless and a thriftless ancestry, were compelled to grind their tenants that they might even live; but, true to the instinct of their race, they continued in a course of vulgar profusion, which, sooner or later, was sure to entail ruin on their posterity. It has come at last—the fountain of bitterness has overflowed—and they who would trace its

waters to their source, will find it in Miss Edgeworth's inimitable *Castle Rackrent*—a history, though robed in fiction. And turn we now to its political condition. Ruled nominally by some satrap of England, a stranger to the land, its habits and its necessities, he was himself ruled by an upstart and rapacious oligarchy. The Castle of Dublin was notoriously the focus of intrigue, jobbery, and faction. Its slave-viceroy, timid through very ignorance, sought refuge in the local experience of his party, and became the tool of the alternate triumph, now of a Beresford, and now of a Ponsonby. What also was the parliament of which Ireland was deprived but clay in the hands of the political potter? "It took half a million," said Castlereagh, "to break down an opposition; and, if requisite, it and more shall not be wanting." He prophesied their perfidy to their very faces; he announced his intentions ostentatiously to Europe. Had they a sense of shame, or honour, or principle, or even decency, they would have flung his threat in the teeth of their defamer; but he knew his men; the mess of pottage was too tempting; and while the trumpetted infamy rang round and round, they swallowed the bribe, and sold their birthright, and betrayed their country. It was not merely a betrayal of their trust, but it was a crouching, craven submission to the insolence that smote them. The stripe preceded the transfer of the slave, but the indignity did not interrupt the bargain. Appropriately enough has that parliament hall been converted into a bank: it is what it ever was, the den of the—money-changers.

With this subject is inseparably connected the name of O'Connell, the great modern apostle of repeal. I knew him well, long, and intimately. He was the *beau ideal* of an Irish agitator. His every movement was "racy of the soil." Face, figure, accent, gait, and, above all, the rollicking, self-assured independence of his manner, were all so

many proclamations of his country. As the leader of a multitude, especially of an Irish multitude, he never had a rival. For this, there was in him a union of qualifications rarely found in any individual. He identified himself with the national peculiarities; he stood sponsor for the perfection of the Irish peasantry, fed their hopes, flattered their foibles, blarneyed their pretensions; and every word he dropped, *mannaed*, as it was, in their own sweet idiom, went directly to their hearts. He dubbed them "the finest peasantry" under the sun; and, poor people, they implicitly believed him! How could they do otherwise? There he stood—bland and burly, sincerity itself—a real son of the sod—speaking their own tongue—kindred in tastes, in habits, and by birth—and, dearer than all, a ROMAN like themselves! What more could a mortal Irishman desire? Indeed, in his creed lay very much of the secret of his sway. It secured for him a sympathy, a confidence, and an ascendancy, utterly unattainable by any Protestant. In Ireland, and in most countries of Catholicism, the dark ignorance of the lower classes renders them the helpless puppets of their clergy. The shrewd agitator was awake to this, and moulded it to his purpose. In the observance of the fasts, injunctions, and ceremonials of his church, he was an obedient son; in all respect, and even submissiveness, to its pastors, he was a pattern for the people. If from mute creation he named his "own green land" a "flower" and "a gem," he borrowed from vocal nature the emblems of his bishops; ornithology lent him "the sweet dove of Elphin," and the forest's contribution was "a lion of the fold of Judah." Nor were the prelates without their grateful nomenclature; and lo! on their lips Daniel became MOSES. These are no fictions: yet how strange the fact! Happy prelates!—happier patriot!

"What a commerce was theirs, while they got and they gave!"

In all this, however, the policy of O'Connell was profound: it was Jesuit perfection. When, through the priesthood, he became all-powerful with the people, that power became the curb on its bestowers. The clergy, from his satellites, were now his slaves. Their very subsistence was in his hands; the congregations tendered him no divided allegiance; his will was a decree above that of the Vatican; and Rome's amazed and trembling ministers saw him, as he stood even on the altar's steps, supreme and irresponsible, disobeying and denouncing Rome's rescript.* There was no alternative but submission. They quailed before him, and pandered to the power they could not combat. His policy now, in their turn, they adopted. They organised his *primum mobile*, the rent; headed his processions; bestowed their benediction on his monster meetings; and hailed, and hallowed, and all but crowned him, on the hill of Tara. These were perilous ovations, and they did their work. Of all the slaves that swelled his triumphs, there was not one to whisper, "Remember that thou art a man"—and he *forgot it*. Implicit obedience was the homage he demanded.† Contradiction

* This occurred in Clarendon Street Chapel, in 1814.

† It would be difficult to select from the circle of his very numerous acquaintance a single person upon whom he did not pour out the vials of his wrath, for daring to hold an independent opinion. Of course I could not expect to be an exception. On a matter of parliamentary inquiry, on which I had quite as much experience as himself, our judgments differed, and I fared accordingly. No one could ever tell, however, when the storm might arise; but he had it ready, and often nursed it in smiles. After walking down with me to the House of Commons one evening, arm-in-arm, as friendly as possible, he vehemently assailed me on the subject alluded to. He refused to retract. No alternative was left me but to right myself, which was done in a way by no means to his satisfaction. After my excellent friend Colonel Perceval, in his place in Parliament, read my letter of reply, Daniel fell into one of his paroxysms. "The gallant member," said he, "may now congratulate himself on having severed a friendship of twenty-five years' standing." Friendship indeed! His translation of the "idem velle et idem nolle" must have been a curiosity. For six months and upwards, when we met, his look was a wild glare. At last it pleased his Jupitership to relent. He walked up to me one day, in the Reform Club, in

incensed him, equality affronted him; and while invoking "liberty," he waved an iron sceptre. When emancipation became law, he had half the representation of Ireland in his hands. And how did he use an influence so responsible? Oriental in power, and Oriental in principle, he entered St Stephens with a train of *mutes*. Let me turn to contemplations more genial. I do so willingly.

The vantage ground of Mr O'Connell's life was that which he took in the struggle for emancipation. It was truly a splendid and soul-stirring spectacle. At first he stood very nearly alone; but, like the Highland chieftain on his hill-top, he held the holy symbol before the people, and they at once arose: the people, emphatically and exclusively the people; for, shame to say, the nobility and aristocracy held aloof. Ultimately and eagerly partakers of the prize, they shrank from the perils of the conflict. They did even worse—they did all they could to discountenance O'Connell. Pompously styling themselves the "natural leaders" of the Roman Catholics, they hated the talent, intrepidity, and perseverance which shamed their hereditary sloth, and scorned their self-satisfied inferiority. But determined, undaunted, indefatigable, through toil, and danger, and difficulty of every kind, he led the people to the promised land, and, with better fate than his prototype, entered it along with them. Having done this, he should have died. In 1829 he reached the summit of his glory. Every subsequent step was downward. I purposely abstain from tracing that descent. Far more pleasing is it to me to leave him on the height, whence, looking down upon the millions he had liberated, he could hear their outburst of joy, and happiness, and homage.

At the bar, O'Connell was an admirable *nisi prius*

high good-humour: "Charles, shake hands—I'm tired not speaking to you. I FORGIVE YOU!"

advocate—a shrewd, subtle, successful cross-examiner—an excellent detailer of facts—a skilful dissecter of evidence. His speech in the case of the King *v.* Magee is a noble specimen of his talents and intrepidity. This he published afterwards as a pamphlet. Often his junior, I had the means of knowing that, in the management of a case, he was both discreet and dexterous. Towards the bench, respectful, independent, and at times even stern, he was ever towards his colleagues sociable and kind. In Parliament, which he necessarily entered late, his success was only average. In the midst of his multiplicity of affairs, he read every novel of the day, and was a great reciter of poetry. Some of his parodies and poetical applications in debate caught the humour of the House, and were considered felicitous. Amongst these was his sneer at the smallness of Lord Stanley's personal adherents after some general election :

> "Thus down thy hill, romantic Ashbourne, glides
> The *Derby Dilly*, carrying *six* insides."

His celebrated parody on three very excellent, and certainly very good-humoured, members of Parliament, Colonels Sibthorp, Perceval, and Verner, was extremely ready, and produced a roar :

> "Three colonels, in three distant counties born,
> Lincoln, Armagh, and Sligo did adorn.
> The first in matchless impudence surpassed,
> The next in bigotry—in both, the last.
> The force of nature could no further go—
> To beard the third, she shaved the other two."

Two of these gentlemen looked as if they never needed a razor, and the third as if he repudiated one. Perhaps the drawback on this was its personality; but personality was one of his besetting sins. It was his instant and invariable resource. He had a *nickname* for every one who presumed to thwart him—curt, stinging, and vulgar, suiting the

rabble taste, and easily retained in the rabble memory. There was not a Lord-Lieutenant or a Secretary that did not carry away with him a not very welcome addition. Some of these were severe, and all of them insulting. But he was ever heedless of the pain he inflicted, if he gained a purpose. It is distressing to relate, what it would be both impossible and unpardonable to omit, that, to the achievement of his object, he unhesitatingly sacrificed all the conventional usages of society. The slave of some ungovernable impulse which permitted no control, and oftentimes set decorum at defiance, he was not always conscious of the excesses he committed, or of the reprehensible extent to which they were carried. This was a weakness inseparably interwoven with a nature otherwise not unkindly. But so it was. Oppose him in his wildest whim, or contradict him on the veriest trifle, and an instant hurricane of rage arose, irrespectful of all life's proprieties, and sweeping friend and foe indiscriminately before it. It is very true that, in calmer moments, repentance often came, but it could not repair the injury, nor did it prevent its repetition. His personal epithets, flung about at random, and often produced by momentary excitement, though sometimes very happy, are perhaps better unrecorded. One instance, however, somewhat partaking of this character, it would be an injustice to omit. In a political trial, he had charged upon the Attorney-General, Saurin, whom he hated, some official unfairness, of which his colleague, Bushe, chivalrously assumed the responsibility: "If there is blame in it," said he, "I alone must bear it"—

"Me, me, adsum qui feci, in me convertite ferrum—"

"Finish the sentence, Mr Solicitor," exclaimed O'Connell; "add

"Mea *fraus* omnis."

But, after all, O'Connell's true theatre, where he stood

alone and unapproachable, was an Irish aggregate meeting. There, indeed, he shone in all his glory—a star of the first magnitude. His was that marvellous admixture of mirth, pathos, drollery, earnestness, and dejection, which, well compounded, form the true Milesian. He could whine and wheedle and wink with one eye, while he wept with the other. His fun was inexhaustible; but if it ever halted, then out came his now familiar stereotypes—his "own green isle,"—his "Irish heart"—his "head upon the block"—his "hereditary bondsmen, know ye not"—and, above all, his inimitable warning—"dead or alive, don't trust the Rices!"—and they never failed him. He made the mob his friends, by making himself one of them. He studied them at their wakes, and at their fairs, and howled the humours of each in their own mellifluous jargon. The Irish peasant hails as a brother the adept in his language, and O'Connell lisped its beauties in his cradle. A specimen of his manner at one of these motley meetings may not be unamusing. At the Clare election, to the horror of Vesey Fitzgerald, the rival candidate, and a member of the then administration, Daniel (with the aid of his priests) polled tenant against landlord—an utter abomination in a country where hitherto the serfs had been driven to the poll in droves, "habited like Nebuchadnezzar when he ran at grass."* Vesey, a Lord in embryo, could not stand it, and he fled. Next day was a great day for Daniel. Priest, curate, coadjutor, bishop—he who, with no franchise, had voted notwithstanding, and he who, having one, had voted *very often*—the whole available population—the pure children of nature, as he called them, and some of them most justly, hailed their champion as he shouted from the hustings, "Boys, where's Vasy Vigarald? Och hone, Vasy, but it's me that's dull without ye. *Righi,*

* Curran.

*mavourneen! righi,** and send the bell about for him. Here's the cry for you—

"Stolen or strayed,
Lost, or mislaid,
The President of the Board of Trade."

During a Dublin election, where Mr West was a candidate, he resorted to his nicknames, and, "sow West," and "ugly West," were lavished liberally. "Gentlemen," said West, good humouredly, "Mr O'Connell takes advantage of me, for he *wears a wig.*" "I scorn all advantage," exclaimed Daniel, casting off the ornament, and exhibiting a scalp literally without a hair between it and heaven, "I scorn all advantage—compare us now, boys; is sow West the beauty?" Daniel was pretty sure of *the apple.* Fun in Ireland is not the less efficient when it happens to be practical.

Living, as he did, in constant turmoil, and careless, as he was, to whom he gave offence, O'Connell of course had a multitude of enemies. Of this, himself the cause, he had no right to complain; but he had a right to complain of the calumnies they circulated. Most rife of these was a charge of want of courage—in Ireland a rare and very detrimental accusation. O'Connell, during his latter years, declined duelling, and publicly avowed his determination. The reason given, and given in the House of Commons, was, that having "blood upon his hands, he had registered a vow in heaven." To this there could have been no possible objection had he included in the registry a vow not to offend. The real charge to which he made himself amenable, was his perseverance at once in insult and irresponsibility. The truth is, O'Connell's want of courage consisted in his fighting the duel in which the vow originated. The facts of the case are few and simple.

* "Run darling! run."

In one of his many mob-speeches he called the Corporation of Dublin a "beggarly Corporation." A gentleman named d'Esterre affected to feel this as a personal affront, he being one of that very numerous body, and accordingly fastened a quarrel on the offender. It is quite true that O'Connell endeavoured to avoid the encounter. He did not do enough. He should have summoned d'Esterre before the tribunals of the country, after failing to appease him by a repeated declaration that he meant him no personal offence, and could not, he being a total stranger to him. However, in an evil hour he countenanced a savage and antichristian custom —the unfortunate d'Esterre paid for his perverseness with his life, and the still more unfortunate O'Connell expiated his moral timidity with much mental anguish to the day of his death. The perpetration of a duel appears to me no proof whatever of personal courage; the refusal, in the then state of society, would have shown much more. However, on the occasion in question he showed a total absence of what is vulgarly called fear; indeed, his frigid determination was remarkable. Let those who read the following anecdote remember that he most reluctantly engaged in the combat; that he was then the father of seven children; and that it was an alternative of life or death with him, d'Esterre being reputed an unerring marksman. Being one of those who accompanied O'Connell, he beckoned me aside to a distant portion of the very large field, which had a slight covering of snow. "Phillips," said he, "this seems to me not a personal but a political affair. I am obnoxious to a party, and they adopt a false pretence to cut me off. I shall not submit to it. They have reckoned without their host, I promise you. I am one of the best shots in Ireland at a mark, having,

as a public man, considered it a duty to prepare, for my own protection, against such unprovoked aggression as the present. Now, remember what I say to you. I may be struck myself, and then skill is out of the question; but if I am not, my antagonist may have cause to regret his having forced me into this conflict." The parties were then very soon placed on the ground, at, I think, twelve paces distance, *each* having a case of pistols, with directions to fire when they chose, after a given signal. D'Esterre rather agitated himself by making a short speech, disclaiming all hostility to his Roman Catholic countrymen, and took his ground, somewhat theatrically crossing his pistols upon his bosom. They fired almost together, and instantly on the signal. D'Esterre fell, mortally wounded. There was the greatest self-possession displayed by both. It seemed to me a duty to narrate these details in O'Connell's lifetime wherever I heard his courage questioned, and justice to his memory now prompts me to record them here.

Happy, indeed, would it be for Mr O'Connell, had he no other charge than this to answer. But when posterity, bending over the page of his eventful life, shall rigidly inquire to what purpose was employed that despot power and boundless popularity, what must be the answer? Was it to bind mankind in bonds of brotherhood?—to heal the wounds of an afflicted country?—to cement the union of the whole human family?—to include conflicting creeds and classes within the Christian circle of charity and peace? Let living Ireland speak. Where are now the countless multitudes that followed in his wake, and watched his glance, and worshipped his very footsteps? Where is now that name, which every hill and vale and glen in Ireland so often echoed to a population's voice? Who ever hears of it? Was it not written in

water? Oblivion has become, as it were, a national compact.

> "Who put in popularity their trust,
> But write in water, and but limn the dust."

Indeed, every trace of him seems to have been studiously obliterated. Even his library, the favourite volumes with his autograph annotations, which, it might be presumed, Roman Catholic gratitude would have prized as so many relics, were depreciated and dispersed! But when life's pageantry had passed away, a duty still remained. Death was to be mocked. Hypocrisy's farce was perfect. No mummery was spared. A gorgeous worship displayed all the splendour of its pompous ceremonial. Mitred sorrow stood before the altar—a weeping populace surrounded the bier; and when the solemn organ pealed its last, and the anthem's lingering tones had died away, the prudent mourners, fearing the effect perhaps of grief prolonged, buried O'Connell and *his memory* together! Oh, popularity! thou fickle, false, and fœtid idol, how long will man mistake thee for a deity!

After the Union, during the peace, or rather truce of 1802, Mr Curran visited Paris. He was there intimate with many distinguished characters, and was fond of recollecting the Abbé Gregoire. His temper was much soured, and he saw everything with a jaundiced eye. "I do not know," said he, in one of his letters,* "that even the few days that I can spend here will not be enough: sickness long and gloomy—convalescence disturbed by various paroxysms—relapse confirmed—the last, a spectacle soon seen and painfully dwelt upon." The change in French society wrought by the revolution was little to his taste: it was a change from "frivolous elegance to a squalid, vulgar, beard-grown vivacity." In this mood he

* Life by his Son.

seemed rather to rejoice that republican etiquette prevented his presentation at the consular court. In his own quaint phrase, "Not having been baptised at St James's, he could not be confirmed at St Cloud." During this visit he fell into the deepest melancholy—saw no one—and by his neglect of some old and exiled friends, incurred from them the imputation of forgetfulness. Amongst these was Mr Plowden, the author of some celebrated tracts on Irish history. This called from Plowden the following letter; and Mr Curran's reply must show more fully than any delineation of mine, the dejection into which he had fallen.

"Mr Plowden did himself the honour of calling to take leave of Mr Curran on his return to Ireland. He has heard that he finds himself cold, and is displeased or disgusted with everything in Paris. Mr Plowden for a short time fondly hoped that a forlorn and deserted exile might have proved an exception."

To J. P. Curran, Esq.

"DEAR PLOWDEN,

"How could you send me so unkind a farewell? Since my coming hither, I have been in miserable health and spirits. I am sorry you could have thought my going a great distance to drop my name, the smallest proof of respect or esteem; had I thought so, I would not have been insolvent. I fear you must have been a fellow-sufferer, or you could not on such grounds suspect me of cooling in my esteem for your talents, or concern for the adverse accidents *which I fear are the inseparable concomitants of virtue and genius.* I am not without hope that I may soon again return hither, and then I shall take care to give no cause for your chiding. However, I cannot but say, that I feel more pleasure than pain when I have to put up with some little jealousies in those I most

regard, when they proceed more from their suspicions than from my delinquency. Good bye for a while, and don't be disposed to doubt of the real friendship and kindness of yours very truly, J. P. C."

To this Mr Plowden sent a farewell answer, concluding, in my mind, *most justly* thus—"May you long live happy, and never cease to bear the honourable badge of singularity as the *only Irish senator* of spotless and unexampled consistency through life!" It is but right to say, that as I have only copies without dates, I am not certain whether this correspondence took place in 1802 or 1814. However, it is but too true that the state of his mind was quite similar on both occasions.

In this year (1802) Mr Curran was employed in one of the most extraordinary cases upon record—one exhibiting, in all its features, an almost incredible picture of Ireland in that day. It was the case of Hevey *v.* Sirr, for false imprisonment. His speech admirably tells the story, and shows the speaker's powers in all their variety.

"For the purposes of this trial," said he, "I must carry back your attention to the melancholy period of 1798. It was at that sad crisis that the defendant, from an obscure individual, started into notice and consequence. It is in the hotbed of public calamity that such portentous and inauspicious products are accelerated without being matured. From being a town-major, a name scarcely legible in the list of public incumbrances, he became at once invested with all the powers of absolute authority. The life and the liberty of every man seemed to have been surrendered to his disposal. With this gentleman's extraordinary elevation begins the story of the sufferings and ruin of the plaintiff.

"It seems, a man of the name of M'Guire was prosecuted for some offence against the State. Mr Hevey, the plaintiff, by accident was in court. He was then a citizen of wealth and credit, a brewer in the first line of that business. Unfortunately for him, he had heretofore employed the witness for the prosecution, and found him a man of infamous character; unfortunately also he mentioned this circumstance in court. The counsel for the prisoner insisted on his being sworn: he was so. The jury were convinced that no credit was due to the witness for the crown, and the prisoner was accordingly acquitted. In a day or two after, Major Sirr met the plaintiff in the street, and asked him how he dared to interfere in his business, swearing by God he would teach him how to meddle with *his people.* Now, gentlemen, there are two classes of prophets, one that derive their predictions from real or fancied inspiration, and are sometimes mistaken; and another who prophesy what they are determined to bring about themselves. Of this second, and by far the most authentic class, was the Major; for heaven, you see, has no monopoly of prediction. On the following evening, poor Hevey was dogged, in the dark, into some lonely alley: there he was seized, he knew not by whom, nor by what authority, and became, in a moment, to his family and his friends as if he had never been. He was carried away in equal ignorance of his crime and of his destiny, whether to be tortured, or hanged, or transported. His crime he soon learned: it was the treason he committed against the majesty of Major Sirr. He was immediately conducted to a new place of imprisonment, in the Castle yard, called the Provost. Of this mansion of misery, of which you have since heard so much, Major Sandys was, and I believe yet is, the keeper—a gentleman of whom I know how dangerous it is to speak—and of whom every

prudent man will think and talk with all due reverence. He seems a twin-star of the defendant's; equal in honour and confidence; equal also—for who could be superior?—in probity and humanity. To this gentleman was my client consigned, and in his custody he remained about seven weeks, unthought of by the world, as if he had never existed. The oblivion of the buried is as profound as the oblivion of the dead. His family may have mourned his absence, or his probable death; but why should I mention so paltry a circumstance? The fears or the sorrows of the wretched give no interruption to the general progress of things. The sun rose, and the sun set, just as it did before; the business of the Government—the business of the Castle—of the feast and the torture—went on with their usual exactness and tranquillity.

"At last Mr Hevey was discovered among the sweepings of the prison, and was at last to be disposed of. He was, accordingly, honoured with the personal notice of Major Sandys. 'Hevey,' says the Major, 'I have seen you ride, I think, a smart sort of a mare; you can't use her here; you had better give me an order for her.' The plaintiff, you may well suppose, had, by this time, a tolerable idea of his situation: he thought he might have much to fear from a refusal, and something to hope for from compliance; at all events, he saw it was a means of apprising his family that he was not dead. He instantly gave the order required. The Major graciously accepted it, saying, 'Your courtesy will not cost you much. You are to be sent down to-morrow to Kilkenny, to be tried for your life. You will most certainly be hanged; and *you can scarcely think that your journey to the other world will be performed on horseback.*' The humane and honourable Major was equally a prophet with his compeer. The plaintiff on the next day took leave of his prison, as he

supposed, for the last time, and was sent under a guard to Kilkenny, then the headquarters of Sir Charles Asgill, there to be tried by a court-martial, for such crime as might be alleged against him!

"In any other country, the scene that took place on that occasion might excite no little horror and astonishment; but with us these sensations have been extinguished by frequency of repetition. I am instructed that a proclamation was sent forth, offering a reward to any man who would come forward and give any evidence against the traitor Hevey. An unhappy wretch, who had been shortly before condemned to die, and was then lying ready for execution, was allured by the proposal. His integrity was not firm enough to hesitate long between the alternative proposed—pardon, favour, and reward—with perjury on one side, the rope and the gibbet on the other. His loyalty decided the question against his soul. He was examined, and Hevey was appointed, by the sentence of a mild and no doubt enlightened court-martial, to take the place of the witness, and succeed to the vacant halter.

"He thought now, as you may suppose, that his labours were at an end; but he was mistaken. His hour was not yet come. You probably, gentlemen—or you, my lords—are accounting for his escape by the fortunate recollection of some early circumstances that might have smote upon the sensibility of Sir Charles Asgill, and made him believe that he was in debt to Providence for the life of one innocent though convicted victim. But it was not so. His escape was purely accidental. The proceedings on the trial happened to meet the eye of Lord Cornwallis. The freaks of Fortune are not always cruel; in the bitterness of her jocularity, you see she can adorn the miscreancy of the slave in the trappings of power and rank and wealth. But her playfulness is not always inhuman; she will some-

times in her gambols fling oil upon the wounds of the sufferer; she will sometimes save the captive from the dungeon and the grave, were it only that she might afterwards reconsign him to his destiny by the reprisal of capricious cruelty upon fantastic commiseration. Lord Cornwallis read the transmiss of Hevey's condemnation. His heart recoiled from the detail of stupidity and barbarity. He dashed his pen across the odious record, and ordered that Hevey should be forthwith liberated. I cannot but highly honour him for his conduct in this instance; nor, when I recollect his peculiar position at that disastrous period, can I much blame him for not having acted towards that court with the same vigour and indignation which he hath since shown with respect to those abominable jurisdictions.

"Hevey was now a man again: he shook the dust off his feet against his prison gate: his heart beat the response to the anticipated embrace of his family and his friends, and he returned to Dublin. On his arrival here, one of the first persons he met with was his old friend, Major Sandys. In the eye of poor Hevey, justice and humanity had shorn the Major of his beams. He no longer regarded him with respect or terror. He demanded his mare; observing that though he might have travelled to heaven on foot, he thought it more comfortable to perform his earthly journeys on horseback. "Ungrateful villain," said the Major, "is this the gratitude you show to his Majesty and to me for our clemency to you? You sha'nt get possession of the beast which you have forfeited by your treason; nor can I suppose that a noble animal which had been honoured with conveying the weight of duty and allegiance, could condescend to load her loyal loins with the vile burthen of a convicted traitor." As to the Major, I am not surprised that he spoke and acted as he

did. He was, no doubt, astonished at the impudence and novelty of calling the privileges of official plunder into question. Hardened by the numberless instances of that mode of unpunished acquisition, he had erected the frequency of impunity into a sort of warrant of spoil and rapine. One of these instances I feel I am now bringing to the memory of your Lordship. A learned and respected brother barrister* had a silver cup; the Major heard that for many years it had borne an inscription of "Erin go Bragh," which meant *Ireland for ever.* The Major considered this perseverance in guilt for such a length of years, a forfeiture of the delinquent vessel. My poor friend was accordingly robbed of his cup. But, upon writing to the then Attorney-General, that excellent officer felt the outrage, as it was his nature to feel everything barbarous or base; and the Major's sideboard was condemned to the grief of restitution. And here let me say, in my own defence, that this is the only occasion upon which I ever mentioned the circumstance with the least appearance of lightness. I have often told the story in a way that it would not become me to tell it here. I have told it in the spirit of those feelings which were excited at seeing that one man could be sober and humane, at a crisis when so many thousands were drunk and barbarous. And probably my statement was not stinted by the recollection, that I held that person in peculiar respect and regard. But little does it signify whether acts of moderation and humanity are blazoned by gratitude, by flattery, or by friendship—they are recorded in the heart from which they sprang; and in the hour of adverse vicissitude, if it should ever come, sweet is the odour of their memory, and precious the balm of their consolation. But to return: Hevey brought an action for his mare. The Major, not choosing to come into court,

and thereby suggest the probable success of a thousand actions, restored the property, and paid the costs of the suit to the attorney of Mr Hevey.

"It may perhaps strike you, my Lord, as if I was stating what was not relevant to this action. It is materially pertinent; I am stating a system of concerted vengeance and oppression. These two men acted in concert; they were Archer and Aimwell—you master at Litchfield, and I at Coventry; you plunderer in the gaol, and I tyrant in the street; and in our respective situations we will co-operate in the common cause of robbery and vengeance. And I state this because I see Major Sandys in Court, and because I feel I can prove the fact beyond the possibility of denial. If he does not dare to appear, so called upon as I have called upon him, I prove it by his not daring to appear. If he does venture to come forward, I will prove it by his own oath; or if he ventures to deny a syllable I have stated, I will prove by irrefragable evidence that his denial was false and perjured. Thus far, gentlemen, we have traced the plaintiff through the strange vicissitudes of barbarous imprisonment, of atrocious condemnation, and of accidental deliverance. Three years had elapsed since that deliverance. The public atmosphere had cleared, the private destiny of Hevey seemed to have brightened, but the malice of his enemies had not been appeased. On the 8th of September last, Mr Hevey was sitting in a public coffeehouse; Major Sirr was there. Mr Hevey was informed that the Major had that moment said that he (Hevey) ought to have been hanged. The plaintiff was fired at the charge. He fixed his eye on Sirr, and asked him if he had dared to say so. Sirr declared that he had, and had said truly. Hevey answered that he was a slanderous scoundrel. At the instant Sirr rushed upon him, and, assisted by three or four of his satellites, who had

attended him in disguise, secured him, and sent him to the Castle-guard, desiring that a receipt might be given for the villain. He was sent thither. The officer of the guard happened to be an Englishman, but lately arrived in Ireland. He said to the bailiffs, 'If this was in England, I should think this gentleman entitled to bail; but I don't know the laws of this country. However, you had better loosen those irons on his wrists, or I think they may kill him.'

"Major Sirr, the defendant, soon arrived, went into his office, and returned with an order which he had written, and by virtue of which Mr Hevey was conveyed to the custody of his old friend and gaoler, Major Sandys. Here he was flung into a room about thirteen feet by twelve: it was called the hospital of the provost. It was occupied by six beds, in which were to lie fourteen or fifteen miserable wretches, some of them sinking under contagious diseases. On his first entrance, the light that was admitted by the opening of the door disclosed to him a view of the sad fellow-sufferers, for whose loathsome society he was once more to exchange the cheerful haunts of men, the use of the open air, and of his own limbs, and where he was condemned to expiate the disloyal hatred and contempt which he had dared to show to the overweening and felonious arrogance of slaves in office and minions in authority. Here he passed the first night, without bed or food. The next morning his humane keeper, the Major, arrived. The plaintiff demanded why he was so imprisoned?—complained of hunger, and asked for the gaol allowance. Major Sandys replied with a torrent of abuse, which he concluded by saying, "Your crime is your insolence to Major Sirr. However, he disdains to trample upon you: you may appease him by proper and contrite submission; but unless you do so, you shall rot where you are. I tell you this, that if Government will not protect us, by ——, we will not pro-

tect them. You will probably (for I know your insolent and ungrateful hardiness) attempt to get out by a *Habeas Corpus;* but in that you will find yourself mistaken, as such a rascal deserves." Hevey was insolent enough to issue a *Habeas Corpus*, and a return was made to it that he was in custody, under a warrant from General Craig, on a charge of high treason. That the return was a gross falsehood, fabricated by Sirr, I am instructed to assert. Let him prove the truth of it if he can.—I have now given you a mere sketch of this extraordinary history. No country, governed by any settled laws, or treated with common humanity, could furnish any occurrences of such unparalleled atrocity; and if the author of *Caleb Williams*, or of the *Simple Story*, were to read the tale of this man's sufferings, it might, I think, humble the vanity of their talents (if they are not too proud to be vain) when they saw how much more fruitful a source of incident could be found in the infernal workings of the heart of a malignant slave than in the richest copiousness of the most fertile and creative imagination. But it is the destiny of Ireland to be the scene of such horrors, and to be stung by such reptiles to madness and to death."

Adverting to the damages which the atrocity of such a case demanded, among other observations, Mr Curran said, "I cannot also but observe to you, that the real state of one country is more forcibly impressed on the attention of another, by a verdict on such a subject as this, than it could be by any general description. When you endeavour to convey an idea of a great number of barbarians practising a great variety of cruelties upon an incalculable multitude of sufferers, nothing definite or specific finds its way to the heart, nor is any sentiment excited save that of a general, erratic, unappropriated commiseration. If, for instance, you wished to convey to the mind of an English matron the

horrors of that direful period, when, in defiance of the remonstrance of the ever-to-be-lamented Abercrombie, our poor people were surrendered to the licentious brutality of the soldiery by the authority of the state, you would vainly endeavour to give her a general picture of lust and rapine, and murder and conflagration. By endeavouring to comprehend everything, you would convey nothing. When the father of poetry wishes to pourtray the movements of contending armies and an embattled plain, he exemplifies only, he does not describe; he does not venture to depict the perplexed and promiscuous conflicts of adverse hosts, but by the acts and fates of a few individuals he conveys a notion of the vicissitudes of the fight and the fortunes of the day. So should your story to her keep clear of generalities; instead of exhibiting the picture of an entire province, select a single object; and, even in that single object, do not release the imagination of your hearer from its task by giving more than an outline. Take a cottage; place the affrighted mother of her orphan daughter at the door, the paleness of death upon her face, and more than its agonies in her heart; her aching eye, her anxious ear struggle through the mist of closing day to catch the approaches of desolation and dishonour. The ruffian gang arrives—the feast of plunder begins—the cup of madness kindles in its circulation. The wandering glances of the ravisher become concentrated upon the shrinking and devoted victim. You need not dilate—you need not expatiate—the unpolluted mother to whom you tell the story of horror beseeches you not to proceed; she presses her child to her heart—she drowns it in her tears—her fancy catches more than an angel's tongue could describe; at a single glance she takes in the whole miserable succession of force, of profanation, of despair, of death. So it is in the question before us. If any man shall hear of this day's

transactions, he cannot be so foolish as to suppose that they have been confined to a single character, like those now brought before you. No, gentlemen; far from it. He will have too much common sense not to know that outrages like these are never solitary; that when the public calamity generates imps like those, their number is as the sands of the sea, and their fury as insatiable as its waves. I am, therefore, anxious that our *masters* should have one authenticated instance of the treatment which our unhappy country suffers under the sanction of their authority."

The reader of this narrative, borne out as it was by proof, will scarcely believe that the damages awarded were only £150! Such was the abject prostration of the public mind. With the allusion to the author of *Caleb Williams* in this speech, there is a little anecdote connected. He was, in fact, in court at the time, Curran having brought him from the Priory, where he was then on a visit, in order to hear the trial. The compliment was thrown in as a sop to the philosopher, but it failed. It was amusing to hear Curran relate their return home in his carriage. He took his seat, as he confessed, fully expecting something civil from Godwin, were it only out of gratitude. There was the most provoking silence; commonplaces on the weather, the buildings, the bridges, alone interrupted it. Curran at last lost all patience—"What did you think, my dear Godwin, of our cause to-day?" "Oh, I had forgotten," said the philosopher, "I am very glad I heard you, as I have now some idea of *your manner*." Curran used to tell the story playfully enough; vanity was not one of his foibles. It was well known, however, to have been prominent amongst those of his great rival Erskine. He knew this, and one day strolled into the King's Bench, when Erskine was engaged

in some trumpery case, where display was out of the question. Erskine became extremely fidgetty when he saw his auditor; and when the verdict was given, could restrain himself no longer—"Curran, I hope you won't judge us by to-day?" "Most certainly I will," said Curran, "as I am sure you are *equally clever* every day." He used to relate this story with much glee.

His intimacy with Godwin was of old standing, and their esteem was mutual. The very *last note* he ever wrote, and which I highly prize, was an invitation to me to meet the philosopher at dinner at Brompton. Godwin dedicated a work "to the *memory* of Curran, the sincerest friend I ever had." The tribute did honour to both, and ought to put the vile tribe to the blush, who, to other slanders upon Curran, joined an imputation of insincerity.

The memorable year 1803 re-introduces—sadly enough upon the scene—the name of Emmett. The father of this remarkable family was a physician,* in good practice, resident in Dublin. He was a very ardent politician, and, according to Mr Grattan, was ever "mixing up his pills with his plans," sometimes much to the perplexity of the patients. He had three sons, all gifted with very rare genius, and these it was his delight to educate in his principles. Curran used facetiously to describe the old Doctor giving them what he called "their morning draught." "Well, Temple, what would you do for your country? Addis, would you kill your sister for your country?—would you kill your brother?—would you kill me?" Little, alas, did that unhappy father foresee the consequences of the lesson he was inculcating! and little also did Curran dream, when he turned this inappropriate tuition into a jest, how mournfully it was one day to affect himself! How revolting, how heart-rending it is

* He was State physician.

to hear the unhappy Robert thus apostrophising that deluded parent on the eve of his execution! "If the spirits of the illustrious dead participate in the concerns of those who were dear to them in this transitory scene, dear shade of my venerated father, look down on your suffering son, *and see has he for one moment deviated from those moral and political principles which you so early inculcated into his youthful mind, and for which he has now to offer up his life!*" Alas! alas! indeed unhappy father, could this mournful appeal have reached him! Of this family, Temple, the eldest, passed through the University with such success, that it is said the examiners changed, in his case, the usual approbation of *Valde bene*, into the more laudatory one of "*O, quam bene!*" His rise at the Irish Bar was unexampled, and at the early age of thirty, with a reputation to which time could not have added, he was called away. The second brother, Thomas Addis, to whom I have alluded in the sketch of Tone, is thus delineated in his journal. "Emmett is a man completely after my own heart; of a great and comprehensive mind; of the warmest and sincerest affection for his friends; and of a firm and steady adherence to his principles—to which he has sacrificed much—as I know, and would I am sure, if necessary, sacrifice his life." He was originally intended for a physician, and had actually graduated at Edinburgh, when the premature death of Temple changed his course, and, by the advice of his fellow student, Sir James Macintosh, he relinquished medicine for the law. Had he confined himself to his profession, there could have been no doubt, from the eminence to which he soon attained, of his ultimately realising every object of his ambition. But the upas-seed sown in his youthful mind had fallen on a too congenial soil, and was rising fast to obscure the brightness of his prospects. He

devoted himself to the unhappy politics of the day, and became at last so inextricably compromised, that, with the consent of the Government, he was self-expatriated. It does not appear that Emmett had committed any indictable offence, but he was a member of the Executive Directory, and had so embarked his enthusiasm and his talents in the cause, that retract he could not, and to proceed was death. The doctrines of the Directory must have led to rebellion, and did so at last. On his examination before the Secret Committee of the House of Commons, Sir John Parnell, with shrewd common sense, thus answered his theories : "Mr Emmett, while you and the Executive were philosophising, Lord Edward Fitzgerald was arming and disciplining the people ;"—at once a commentary on, and an obvious consequence of, the creed of the Directory. Emmett himself I never saw. He was in America some years before I was called to the Irish Bar. But I found his memory still fresh there, and many of his associates still remaining. From their report of him, it was quite clear that his presence in Ireland was incompatible with its peace, and his public manifestations were the more dangerous, because in private life he was altogether irreproachable. Peter Burrowes, his friend and correspondent, (in the teeth of an Act of Parliament,) used to revel in the recollection of him. The following anecdote, which he frequently repeated, and with great effect, vividly exhibits the intrepidity of the man. A malcontent had been convicted of taking the United Irishman's oath, which, as a curiosity, is here inserted.

"I, A. B., in the presence of God, do pledge myself to my country, that I will use all my abilities and influence in the attainment of an adequate and impartial representation of the Irish nation in Parliament ; and as a means of absolute and immediate necessity in the attainment of this

chief good of Ireland, I will endeavour, as much as lies in my power, to forward a brotherhood of affection, an identity of interests, a communion of rights, and a union of power among Irishmen of all religious persuasions, without which every reform in Parliament must be partial, not national, inadequate to the wants, delusive to the wishes, and insufficient for the freedom and happiness of this country." This oath sounds harmlessly and plausibly enough; but we have been enlightened since as to what the "brotherhood of affection" in reality meant. Emmett, on a motion in arrest of judgment, after exhausting his learning and ingenuity, astonished his hearers with this startling peroration: "And now, my Lords, here, in the presence of this legal Court, this crowded auditory—in the presence of the Being that witnesses and directs this judicial tribunal—even here, my Lords, I, Thomas Addis Emmett, declare—I *take the oath!*" And while bar, bench, and auditory "held their breath," he kissed the book! All men seemed literally so stunned by this daring and hazardous experiment, that it passed unreprehended. However, that the offence was indictable was placed beyond a doubt, for the Court sustained the judgment. After an imprisonment of four years in Fort George, in violation of an express promise, as alleged by Emmett, the State prisoners were released, and in 1804, at the age of forty, he landed in America. After some hesitation as to whether he would not pursue his original profession as a physician, he at length again determined on the bar. His call, however, without a preliminary probation of three years, was no matter of course; on the contrary, he encountered a violent opposition from Chancellor Kent, then Chief-Justice of the Supreme Court, who at length yielded to the entreaties of his brethren; and, by a suspension of its rules, he became an American barrister. From the family of

the Clintons, the chief of which was then Governor of the State of New York, he received both advice and countenance, and at their suggestion it was that he located himself in that city. Still all was not fair weather. America, the Utopia of his republican idolatry, had its feuds and its parties, the violence of which it was his fate to experience. There were those in New York for whom Emmett was even too republican. Partly from an antipathy to his politics, and partly, it is to be feared, from professional jealousy, the Federalist party at the local bar outraged all decency so far as to refuse to hold briefs with him! But he who had braved power in its stronghold was not the man to quail before such a confederacy as that. He confronted and crushed it, and reaped not merely the pecuniary rewards, but, what of course he prized more, the honours of the profession. His enemies cowered before him, Chancellor Kent rejoiced in the recantation of his hostility, and the expatriated Irishman became Attorney-General of the State of New York. It was, indeed, an enviable elevation, because attained by no unworthy art or servile compromise, but fairly earned by splendid talents, indefatigable industry, and stern independence. It requires some experience of the difficulties he overcame in a strange land amid envious rivals, friendless and isolated, to estimate his merits. There are some interesting incidents recorded of the manner in which Emmett met his enemies. Among these, one of the most formidable, and also the most eminent, was Mr Rufus King, a name distinguished for statesmanship and diplomacy. Emmett, it will be observed, owed him an ancient grudge, and avenged it on the occasion of King's being candidate for the governorship of the State of New York in 1807. At a meeting of the Irish in that city, he bitterly assailed the Federal candidate, and was, in return, as bitterly assailed by him, and by the

press in his interest. Emmett retorted, in a letter, his charges against King, one of which was his interference as ambassador at the Court of St James's, to prevent the State prisoners from residing in America!—a cruel, and, from such a quarter, a scandalous interference. However, America, universal America, has long ago, by a noble and generous hospitality, vindicated her character from any participation in such a proceeding. "Your interference was then, sir," writes Emmett, "made the pretext for detaining us four years in custody, by which very extensive and useful plans of settlement within these States were broken up. The misfortunes which you brought upon the objects of your persecution were incalculable. Almost all of us wasted four of the best years of our lives in prison. As to me, I should have brought along with me my father and his family, including *a brother, whose name perhaps even you will not read without emotions of sympathy and respect.* Others, nearly connected with me, would have become partners in my emigration. But all of them have been torn from me. I have been prevented from saving a brother—from receiving the dying blessings of a father, mother, and sister—and from soothing their last agonies by my cares; and this, sir, by your unwarrantable and unfeeling interference."

Who, on reading this, can refuse a tear to the fate of Robert Emmett? What virtues were not shorn of their effect, what talents were not robbed of their influence, by this most monstrous interposition! Had this not happened, instead of expiating the mad enthusiasm of boyhood on a scaffold, the future man might have wreathed fresh laurels for his native land, and repaid with service, and requited with glory, that of his adoption. It were vain to speculate on what might have been; but, surely, never was dawn more splendid overcast, or a fairer spring blighted in its promise. Emmett thus proceeds:—

"These remarks I address with all becoming respect to one whom his press describes as 'the first man in the country.' Yet, in fact, sir, I do not clearly see in what consists your superiority over myself. It is true you have been a resident minister at St James's, and, if what I have read in the public prints be true, and if you be apprised of my near relationship and family connection with the late Sir John Temple, you must acknowledge that your interference, as minister, against my being permitted to emigrate to America, is a very curious instance of the caprice of fortune. But, let that pass. To what extent I ought to yield to you for talent and information, it is not for me to decide. In no other respect, however, do I feel your excessive superiority. My private character and conduct are, I hope, as fair as yours; and even in those matters which I consider as trivial, but upon which aristocratic pride is accustomed to stamp a value, I should not be inclined to shrink from competition. My birth, certainly, will not humble me by the comparison. My paternal fortune was probably much greater than yours; the consideration in which the name I bear was held in my native country, was as great as yours was ever likely to be, before I had an opportunity of contributing to its celebrity. As to the amount of what private fortune I have been able to save from the wreck of calamity, it is unknown to you or to your friends; but two things I will tell you—I never was indebted either in the country from which I came, or in any other in which I have lived, to any man, further than the necessary credit for the current expenses of a family, and am not so circumstanced that I should 'tremble for my subsistence' at the threatened displeasure of your friends. Circumstances which cannot be controlled have decided that my name must be embodied in history. From the manner in which my political adversaries, and some of my contemporary historians, unequi-

vocally hostile to my principles, already speak of me, I have the consolation of reflecting that, when the falsehoods of the day are withered and rotten, I shall be respected and esteemed. You, sir, will probably be forgotten when I shall be remembered with honour; or if, peradventure, your name should descend to posterity, you will be only known as the recorded instrument of part of my persecutions, sufferings, and misfortunes."* Nor was this the only occasion on which he had to encounter the virulence of an ex-ambassador. It really would appear as if a residence in Europe and access to its courts rather polished away a little of the roughness of republicanism. One is somewhat surprised to find the patriotism of the exile, his love of freedom, and the sacrifices he volunteered for it, cast upon him as reproaches by any man in America! Yet such, it would seem, were the weapons employed by Mr Pinkney when opposed to Emmett, in 1815, in the Supreme Court at Washington. Emmett's demeanour was such in noticing it, that shame extorted next day from his defeated adversary a eulogium which he doubtless estimated at what it was worth. "I am," said he, "Mr Pinkney's equal in birth, in rank, in connections. It is true I am an Irishman. It is true that, in attempting to rescue an oppressed, brave, and generous-hearted people, I have been driven from the forum in my own land. It is true that I came to America for refuge, and sought protection beneath her constitution and laws. It is also true that my learned antagonist will never gather a fresh wreath of laurel, or add lustre to his well-earned fame, by alluding to those facts in a tone of malignant triumph. I know not by what name arrogance and presumption may be called on this side of the water, but I am sure he never could have acquired those manners in the polite circles of

* *Pieces of Irish History.* New York.

Europe, which he had so long frequented as a public minister." * Emmett pursued his prosperous career at the American bar, having changed envy into honour and respect, till the month of November 1827 closed the toils and perils of his chequered life. He was employed all day in court in an important cause, and was busily taking notes for a reply, when suddenly drooping, he leaned his head helplessly on the table. It was too clear. A fit of apoplexy had suddenly seized him, and the few last lines legible in his paper plainly manifested the tremor mid which they were written. He never rallied, and his loss seems to have cast a gloom over the whole community. The Common Council of the city of New York wore an emblem of mourning for thirty days; the highest functionaries of the law came to the following resolution:— "The Judges now present most deeply deplore his death, and will unite with their Associate Justices and other public functionaries, and with their fellow-citizens, in testifying their regard for the deceased, their admiration of his talents, and their approbation of his virtues;" and his brethren at the bar erected a tablet to his memory, thus inscribed:—

THOMÆ . ADDIS . EMMETT.
VIRO.
DOCTRINA . JURE . SCIENTIA . ELOQUENTIA.
PRESTANTISSIMO.
INTER . HÆC . SUBSELLIA . ET . OFFICII . MUNERA.
SUBITA . MORTE . CORREPTO.
SOCII . FORENSES . POSUERUNT.

In addition to this, the citizens of New York erected a handsome marble monument to him, thirty feet in height, in the cemetery of St Paul's Church, in the Broadway. I cannot more appropriately close this sketch than by the

* MADDEN'S *Lives of the United Irishmen*. A very interesting work.

following eloquent description by Mr Duer, an eminent advocate, and one who was not among his intimate associates. "Thomas Addis Emmett, in head and in heart, and in no vulgar sense of the term, was a great man; and as an orator, with the single exception of Burke, unsurpassed by any that his country has produced. Superior in judgment, in taste, in the extent and variety of his learning, in persevering skill, in chastened fervour, in true pathos, the abilities of Emmett were never displayed on their proper theatre. His large and philosophic views of society, government, and law—his ample stores of knowledge—his unrivalled promptitude and invariable self-command—his elocution, flowing, copious, rapid, unlimited in the range, most fertile in the choice of his language—his brilliant imagination and ardent feelings, when most excited accustomed to obey the suggestions of his reason—his powers of sarcasm and irony, rarely exerted, but when put forth, resistless; and, above all, that imperatorial tone of voice (if the phrase be allowed) which his genius enabled him without affectation to assume, in a deliberative and popular assembly would have combined to invest him with controlling sway."

After the dreadful tempest of 1798, the country appeared to have sunk into repose, or rather exhaustion. Government was beginning to relax in its severities; the *Habeas Corpus* act was again in operation; the Union had been carried; and this once kingdom seemed gradually sinking into the humility of a contented province. All of a sudden—the Government unprepared, the people unsuspicious, and the whole social system working apparently without apprehension or impediment—an insurrection exploded in Dublin, which was attended with some melancholy, and, at first, threatened very serious, consequences. At the head of this was the unfortunate Robert Emmett,

the youngest of the family of which we have been treating. He was only twenty-three years of age ; had been educated in the university ; and for his demeanour, his talents, and his virtues, was admired, respected, and beloved. His mind was naturally melancholy and romantic : he had fed it from the pure fountain of classic literature, and might be said to have lived, not so much in the scene around him, as in the society of the illustrious dead. On the very year of my entrance into college, Emmett made his wild attempt, so that I had not an opportunity of knowing him. But my friend Moore, in his Life of Lord Edward Fitzgerald, has bequeathed to us a sketch from life, as he knew him. "Of this friend," says he, "notwithstanding his own dying entreaty, that the world would extend to him the charity of its silence, I cannot deny myself the gratification of adding a few words, considering that at least the spirit of his wish will not be violated in them. Were I to number, indeed, the men among all I have ever known, who seemed to me to combine in the greatest degree pure moral worth with intellectual power, I should, among the highest of the class, place Robert Emmett. Wholly free from the follies and frailties of youth, though how capable he was of the most devoted passion, events afterwards proved ;—the pursuit of science, in which he admirably distinguished himself, seemed, at the time, the only object that at all divided his attention with the enthusiasm for Irish freedom, which in him was a hereditary as well as natural feeling—himself being the second martyr his family had given to the cause. Simple in all his habits, and with a repose of look and manner indicating but little movement within, it was only when the spring was touched that set his feelings, and through them his intellect, in motion, that he at all rose above the level of ordinary men. On no occasion was this more peculiarly striking than in those displays of

oratory with which, both in the Debating and Historical Society, he so often enchained the sympathy and attention of his young audience. No two individuals, indeed, could be more unlike to each other, than was the same youth to himself, before rising to speak, and after. The brow that had appeared inanimate and almost drooping, at once elevating itself in all the consciousness of power, and the whole countenance and figure of the speaker assuming a change as of one suddenly inspired. Of his oratory, it must be recollected, I speak from youthful impressions; but I have heard little since that appeared to me of a loftier, or what is far more rare in Irish eloquence, purer character; and the effects it produced, as well from its own exciting power, as from the susceptibility with which the audience caught up every allusion to passing events, was such as to attract seriously the attention of the Fellows; and by their desire, one of the scholars, a man of advanced standing and reputation for oratory, came to attend our debates expressly for the purpose of answering Emmett, and endeavouring to neutralise the fervour of his impassioned eloquence. Such in heart and mind was another of the devoted men, who, with gifts that would have made them the ornaments and support of a well-regulated community, were yet driven to live the lives of conspirators, and die the death of traitors, by a system of government which it would be difficult even to think of with patience, did we not gather a hope from the present aspect of the whole civilised world, that such a system of bigotry and misrule can never exist again."

Such, according to one competent in every respect to form a judgment, was Robert Emmett. He had but just entered upon the world, full of the ardour which studies such as his might be supposed to have excited, and unhappily at a period in the history of his country when such noble feelings were

both detrimental and dangerous. It is but an ungenerous loyalty which would not weep over the extinction of such a spirit. The irritation consequent upon the Union had not yet subsided. He pored over its debates; and sincere himself, believed in the rants which, it now appears, were uttered only to serve the purpose of the hour, though they effectually poisoned the youthful mind of Ireland. Let it not be forgotten by those who affect to despise his memory, that men, matured by experience, deeply read in the laws of their country, and venerated as the high-priests of the constitution, had, but two years before, vehemently, eloquently, and earnestly, in the very temple itself, proclaimed resistance to be a duty. Let us only fancy with what a kindling eye, and burning cheek, and throbbing heart, young Emmett must have bent over such a page as this. "Sir," said Mr Plunket on the Union debate, "I thank the Administration for this measure. They are, without intending it, putting an end to our dissensions. Through the black cloud which they have collected over us, I see the light breaking in upon this unfortunate country. They have composed our dissensions, not by fomenting the embers of a lingering and subdued rebellion—not by hallooing Protestant against Catholic, and Catholic against Protestant—not by committing the north against the south—not by inconsistent appeals to local or to party prejudices—no!—but by the avowal of this atrocious conspiracy against the liberties of Ireland, they have subdued every petty and substantive distinction; they have united every rank and description of men, by the pressure of this grand and momentous subject; and I tell them that they will see every honourable and independent man in Ireland rally round the constitution, and merge every other consideration in opposition to this ungenerous and odious measure. *For my part, I will resist it to the last*

gasp of my existence, and with the last drop of my blood; and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar, and swear them to eternal hostility against the invaders of their country's freedom. Sir, I shall not detain you by pursuing this question through the topics which it so abundantly offers. I should be proud to think my name should be handed down to posterity in the same roll with those disinterested patriots who have successfully resisted the enemies of their country—successfully, I trust, it will be. In all events, I have my exceeding great reward. I shall bear in my heart the consciousness of having done my duty; and in the hour of death I shall not be haunted by the reflection of having basely sold, or meanly abandoned, the liberties of my native land. Can every man who gives his vote this night on the other side lay his hand upon his heart and make the same declaration? I hope so: it will be well for his own peace. The indignation and abhorrence of his countrymen will not accompany him through life, and the curses of his children will not follow him to his grave. I in the most express terms deny the competency of Parliament to do this act. I warn you, do not dare to lay your hands on the constitution. I tell you that if, circumstanced as you are, you pass this act, it will be a nullity, and that no man in Ireland will be bound to obey it."

Often enough, in after times, did Ireland's agitator found his justification on these impassioned words. He always, however, blinked the commentary which half a century afforded. Little did he refer to the venerable Amilcar, his breathing regular, and his blood unshed, reposing beneath the foliage of old Connaught—ex-chancellor, ex-chief-justice, peer of England. Less did he allude to the only two sons that ever touched "the altar,"

one of them a bishop; and least of all to the remainder of the family, abjuring, in the sunshine of the Saxon sway, all oaths, save those of office and allegiance. A reflecting people might perchance have seen the difference between mere wordy violence and the calmer wisdom of a genuine patriotism. Had Plunket, forsaking the pursuit of high ambition along the peaceful path of honourable industry, persevered in his wild vow, the scaffold would have intercepted its performance, and Ireland lost a bright example she would do well to imitate.

Unhappily, however, for Robert Emmett, he drank deeply of the delusions of the day. Insanely obstinate, he spurned all advice; and with the sacrifice of what little fortune he possessed, and the aid of a few desperate and undisciplined followers, he essayed what he believed would be the emancipation of the country! On the 23d of June 1803, this rebellion—if such it can be called—broke out in Dublin; and so unprepared was Government for such an event, that it is an indisputable fact that there was not a single ball in the chief arsenal which would fit the artillery. Indeed, had the deluded followers of Emmett had common sense or common conduct, the Castle of Dublin must have fallen into their possession; and what fortunately ended in a petty insurrection, might have produced a renewal of the disastrous '98. Much depends upon the success of the moment; and there was no doubt there were very many indolent or desponding malcontents, whom the surrender of that citadel would have roused into activity. However, a most melancholy and calamitous occurrence is supposed at the moment to have diverted Emmett's mind from an object so important. Lord Kilwarden, the then Chief-Justice, the old and esteemed friend of Mr Curran, was returning from the country, and had to pass through the very street of the insurrection.

He was recognised—seized, and inhumanly murdered, against all the entreaties and commands of Emmett. This is supposed to have disgusted and debilitated him. He would not wade through blood to liberty, and found, too late, that treason could not be restrained even by the authority it acknowledged. Lord Kilwarden died like a judicial hero. Covered with pike wounds, and fainting from loss of blood, his last words were, "Let no man perish in consequence of my death, but by the regular operation of the laws;"—words which should be engraven in letters of gold upon his monument. Speaking of him afterwards, during the subsequent trials, Mr Curran said, "It is impossible for any man, having a head or a heart, to look at this infernal transaction without horror. I had known Lord Kilwarden for twenty years. No man possessed more strongly than he did two qualities: he was a lover of justice and humanity even to weakness, if it can be a weakness." The result of this murder was the paralysis of the rebels, and the flight of Emmett. In his depot in an obscure street, a paper was found speculating on the state of his own mind in case of failure. It is a picture of enthusiasm. "I have but little time," he says, "to look at the thousand difficulties which lie between me and the completion of my projects. That those difficulties will likewise disappear, I have ardent and, I trust, rational hopes; but if that is not to be the case, I thank God for having gifted me with a sanguine disposition; to that disposition I run from reflection; and, if my hopes are without foundation—if a precipice is opening under my feet, from which duty will not suffer me to run back, I am grateful for that sanguine disposition, which leads me to the brink and throws me down, while my eyes are still raised to that vision of happiness which my fancy formed in the air." Emmett took refuge in a house which had belonged to his

father, situated about mid-way between Dublin and Rathfarnham, a village adjoining Mr Curran's residence, the Priory. Why this particular place of refuge was selected, now remains to be told; and a mournful, melancholy tale it is. Emmett's parents and Mr Curran having been acquainted, young Emmett used occasionally to visit at the Priory. Miss Sarah Curran, the youngest daughter, was a lady of great accomplishments, hereditary talents, and most interesting manners. Acquaintance soon grew into intimacy, and intimacy into a mutual attachment. Its origin and progress will be found detailed in a letter written by Emmett himself to her father, after his condemnation. This unhappy event was a source of much agony to Mr Curran, and, frequently as he referred to private matters, on one occasion only did he mention this. "I was riding," said he, "to court as usual, on the morning after the outbreak, when the appearance of Major Sirr at the head of some dragoons much surprised me. He rode up to me, lamenting with much courtesy the occasion of our meeting, and intimating that, in consequence of some papers found on Mr Emmett, he had orders to search my residence. Almost thunderstruck, I at once proffered him every facility in my power. To my utter amazement, a correspondence, of which I had not even a suspicion, was discovered." Mr Curran had no idea of the length to which the attachment had proceeded, and his mortification was intense. However, his course was instantly determined on. He at once presented himself to the authorities for examination, when his entire ignorance of the conspiracy, or of aught connected with it, became apparent. He spoke with much gratitude of the kindness and delicacy of the Attorney-General, Mr Standish O'Grady, throughout these very painful and harassing investigations.

It is said that Emmett might have effected his escape

had he not lingered to bid a last adieu to her he so truly loved. He was brought to trial as soon as the legal forms would permit, convicted, as a matter of course, and executed *on the following day.* The last sad and interesting scene in court has been variously reported, and the subject of some misrepresentation. The following account, quoted by Dr Madden, seems accurate and impartial :—

The clerk of the Crown then in the usual form addressed the prisoner, concluding in these words,—" What have you therefore now to say, why judgment of death and execution should not be awarded against you, according to law ?"

Mr Emmett, standing forward in the dock, in front of the bench, said, " My Lords, as to why judgment of death and execution should not be passed upon me according to law, I have nothing to say ; but as to why my character should not be relieved from the imputations and calumnies thrown out against it, I have much to say. I do not imagine that your Lordships will give credit to what I am going to utter : I have no hopes that I can anchor my character in the breast of the Court. I only wish your Lordships may suffer it to float down your memories until it has found some more hospitable harbour to shelter it from the storms with which it is at present buffeted. Was I to suffer only death after being adjudged guilty, I should bow in silence to the fate which awaits me ; but the sentence of the law, which delivers over my body to the executioner, consigns my character to obloquy. A man in my situation has not only to encounter the difficulties of fortune, but also the difficulties of prejudice. Whilst the man dies, his memory lives ; and that mine may not forfeit all claim to the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me. I am charged with being an emissary of France. Never did I entertain the remotest

idea of establishing French power in Ireland. From the introductory paragraph of the address of the Provisional Government, it is evident that every hazard attending an independent effort was deemed preferable to the more fatal risk of introducing a French army into this country. Small, indeed, would be our claim to patriotism and to sense, and palpable our affectation of the love of liberty, if we were to sell our country to a people who are not only slaves themselves, but the unprincipled and abandoned instruments of imposing slavery on others. And, my Lords, let me here observe, that I am not the head and life's-blood of rebellion. When I came to Ireland, I found the business ripe for execution. I was asked to join in it. I took time to consider; and after mature deliberation, I became one of the Provisional Government. And there then was, my Lords, an agent from the United Irishmen and Provisional Government of Ireland at Paris, negotiating with the French Government to obtain from them an aid sufficient to accomplish the separation of Ireland from Great Britain; the preliminary to which assistance has been a guarantee to Ireland, similar to that which Franklin obtained for America: but the intimation that I, or the rest of the Provisional Government, meditated to put our country under the dominion of a power which has been the enemy of freedom in every part of the globe, is utterly false and unfounded. Did we entertain any such ideas, how could we speak of giving freedom to our countrymen? —how could we assume such an exalted motive? If such an inference is drawn from any part of the proclamation of the Provisional Government, it calumniates their views, and is not warranted by the fact.

"Connexion with France was, indeed, intended, but only as far as mutual interest would sanction or require. Were they to assume any authority inconsistent with the purest

independence, it would be the signal for their destruction. We sought aid, and we sought it—as we had assurance we should obtain it—as auxiliaries in war, and allies in peace.

"Were the French to come as invaders or enemies uninvited by the wishes of the people, I should oppose them to the utmost of my strength—yes, my countrymen! I should advise you to meet them upon the beach with a sword in one hand and a torch in the other. I would meet them with all the destructive fury of war. I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last intrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish; because I should feel conscious that life, any more than death, is unprofitable, when a foreign nation holds my country in subjection.

"Reviewing the conduct of France to other countries, could we expect better towards us? No! Let not, then, any man attaint my memory by believing that I could have hoped to give freedom to my country by betraying the sacred cause of liberty, and committing it to the power of her most determined foe. Had I done so, I had not deserved to live; and dying with such a weight upon my character, I had merited the honest execration of that country which gave me birth, and to which I would give freedom. What has been the conduct of the French towards other countries? They promised them liberty; and when they got them into their power, they enslaved them. What has been their conduct towards Switzerland, where it has been stated that I had been? Had the people there been desirous of French assistance, I would

have sided with the people; I would have stood between them and the French, whose aid they called in, and, to the utmost of my ability, I would have protected them from every attempt at subjugation. I would, in such case, have fought against the French, and, in the dignity of freedom, I would have expired on the threshold of that country, and they should have entered it only by passing over my lifeless corpse. Is it then to be supposed that I would be slow in making the same sacrifices for my native land? Am I, who lived but to be of service to my country, and who would subject myself to the bondage of the grave to give her freedom and independence—am I to be loaded with the foul and grievous calumny of being an emissary of French tyranny and French despotism? My Lords, it may be part of the system of angry justice to bow a man's mind by humiliation to meet the ignominy of the scaffold, but worse to me than the scaffold's shame or the scaffold's terrors would be the imputation of having been the agent of the despotism and ambition of France; and whilst I have breath, I will call upon my countrymen not to believe me guilty of so foul a crime against their liberties and against their happiness. I would do with the people of Ireland as I would have done with the people of Switzerland, could I be called upon at any future period of time so to do. My object, and that of the rest of the Provisional Government, was to effect a total separation between Great Britain and Ireland, and to make Ireland totally independent of Great Britain, but not to let her become a dependant of France.

"When my spirit shall have joined those bands of martyred heroes who have shed their blood on the scaffold and in the field in defence of their country, this is my hope, that my memory and name may serve to animate those who survive me.

"While the destruction of that Government which upholds its dominion by impiety against the Most High, which displays its power over man as over the beasts of the field, which sets man upon his brother, and lifts his hands, in religion's name, against the throat of his fellow who believes a little more or less than the Government standard, which reigns amidst the cries of the orphans and of the widows it has made"—(Here Mr Emmett was interrupted by Lord Norbury.)

After a few words on the subject of his objects, purposes, and the final prospect of success, he was again interrupted, when he said,—

"What I have spoken was not intended for your Lordships, whose situation I commiserate rather than envy; my expressions were for my countrymen. If there be a true Irishman present, let my last words cheer him in the hour of affliction."

(Lord Norbury interrupted the prisoner.)

"I have always understood it to be the duty of a judge, when a prisoner has been convicted, to pronounce the sentence of the law; I have also understood that judges sometimes think it their duty to hear with patience, and to speak with humanity—to exhort the victim of the laws, and to offer, with tender benignity, their opinions of the motives by which he was actuated in the crime of which he was adjudged guilty; that a judge has thought it his duty so to have done, I have no doubt: but where is the boasted freedom of your institutions—where is the vaunted impartiality, clemency, and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and *not justice*, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated?

"My Lords, it may be a part of the system of angry justice to bow a man's mind by humiliation to the purposed ignominy of the scaffold; but worse to me than the purposed shame, or the scaffold's terrors, would be the tame endurance of such foul and unfounded imputations as have been laid against me in this Court. You, my Lord, are a judge. I am the supposed culprit. I am a man—you are a man also. By a revolution of power we might change place, though we never could change characters. If I stand at the bar of this Court, and dare not vindicate my character, what a farce is your justice! If I stand at this bar, and dare not vindicate my character, how dare you calumniate it? Does the sentence of death, which your unhallowed policy inflicts on my body, condemn my tongue to silence, and my reputation to reproach? Your executioner may abridge the period of my existence; but, while I exist, I shall not forbear to vindicate my character and motives from your aspersions; and as a man to whom fame is dearer than life, I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honour and love, and for whom I am proud to perish. As men, my Lords, we must appear on the great day at one common tribunal; and it will then remain for the Searcher of all hearts to show a collective universe who are engaged in the most virtuous actions, or actuated by the purest motives, my country's oppressors, or—"

(Here he was interrupted, and told to listen to the sentence of the law.)

"My Lords, will a dying man be denied the legal privilege of exculpating himself in the eyes of the community from a reproach thrown upon him during his trial, by charging him with ambition, and attempting to cast

away, for a paltry consideration, the liberties of his country? Why then insult me—or rather, why insult justice, in demanding of me why sentence of death should not be pronounced against me? I know, my Lords, that the form prescribes that you should put the question: the form also confers a right of answering. This, no doubt, may be dispensed with, and so might the whole ceremony of the trial, since sentence was already pronounced at the Castle before your jury were impanelled. Your Lordships are but the priests of the oracle, and I submit; but I insist on the whole of the forms."

(Here Mr Emmett paused, and the Court desired him to proceed.)

"I have been charged with that importance in the efforts to emancipate my country, as to be considered the key-stone of the combination of Irishmen, or, as it has been expressed, 'the life and blood of this conspiracy.' You do me honour overmuch: you have given to the subaltern all the credit of the superior. There are men concerned in this conspiracy, who are not only superior to me, but even, to your own conceptions of yourself, my Lord; men before the splendour of whose genius and virtues I should bow with respectful deference, and who would not deign to call you friend—who would not disgrace themselves by shaking your blood-stained hand."

(Here he was interrupted by Lord Norbury.)

"What, my Lord! shall you tell me on my passage to the scaffold—which that tyranny, of which you are only the intermediate minister, has erected for my death—that I am accountable for all the blood that has, and will be, shed in this struggle of the oppressed against the oppressor? Shall you tell me this, and must I be so very a slave and not repel it?

"I do not fear to approach the Omnipotent Judge, to

answer for the conduct of my short life; and am I to stand appalled here before a mere remnant of mortality? Let no man dare, when I am dead, to charge me with dishonour; let no man attaint my memory, by believing that I could have engaged in any cause but that of my country's liberty and independence. The proclamation of the Provisional Government speaks my views. No inference can be tortured from it to countenance barbarity or debasement. I would not have submitted to a foreign oppression, for the same reason that I would have resisted tyranny at home."

LORD NORBURY.—"Mr Emmett, you have been called upon to show cause, if any you have, why the judgment of the law should not be enforced against you. Instead of showing anything in point of law why judgment should not pass, you have proceeded in a manner the most unbecoming a person in your situation. You have avowed, and endeavoured to vindicate, principles totally subversive of the Government, totally subversive of the tranquillity, wellbeing, and happiness of that country which gave you birth; and you have broached treason the most abominable.

"You, sir, had the honour to be a gentleman by birth, and your father filled a respectable situation under the Government. You had an eldest brother, whom death snatched away, and who, when living, was one of the greatest ornaments of the bar. The laws of his country were the study of his youth; and the study of his maturer life was to cultivate and support them. He left you a proud example to follow; and if he had lived, he would have given your talents the same virtuous direction as his own, and have taught you to admire and preserve that constitution, for the destruction of which you have conspired with the most profligate and abandoned, and

associated yourself with hostlers, bakers, butchers, and such persons, whom you invited to council, when you erected your Provisional Government."

"If the spirits," said Emmett, "of the illustrious dead participate in the concerns of those who were dear to them in this transitory scene, dear shade of my venerated father! look down on your suffering son, and see has he for one moment deviated from those moral and patriotic principles, which you so early instilled into his youthful mind, and for which he has now to offer up his life!

"My Lord, you are impatient for the sacrifice. The blood which you seek is not congealed by the artificial terrors which surround your victim; it circulates warmly and unruffled through its channels, and in a little time will cry to Heaven. Be yet patient!—I have but a few words more to say. I am going to my cold and silent grave; my lamp of life is nearly extinguished. I have parted with everything that was dear to me in this life, and, for my country's cause, with the idol of my soul, the object of my affections. My race is run; the grave opens to receive me, and I sink into its bosom. I have but one request to ask at my departure from this world—it is the charity of its silence. Let no man write my epitaph; for as no man who knows my motives dare now vindicate them, let no prejudice or ignorance asperse them. Let them rest in obscurity and peace, my memory be left in oblivion, and my tomb remain uninscribed, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written. I have done."

These were the last words which Robert Emmett ever spoke in public, and these words deliberately avowed and justified the treason for which his life had been pronounced

the forfeit. Indeed, he does not appear to have been a young man upon whose mind adversity could produce any effect. He was buoyed up by a characteristic enthusiasm, and this, tempered as it was by the utmost amenity of manners, rendered him an object of love and admiration even in his prison. Of his conduct there I have had, well authenticated, some very curious anecdotes.

One day previous to his trial, as the governor was going his rounds, he entered Emmett's room rather abruptly; and observing a remarkable expression in his countenance, he apologised for the interruption. He had a fork affixed to his little deal table, and appended to it there was a tress of hair. "You see," said he to the keeper, "how innocently I am occupied. This little tress has long been dear to me, and I am plaiting it to wear in my bosom on the day of my execution!" It need scarcely be stated that the tress was Miss Curran's: she was in his heart till it ceased to beat. Within an hour of his execution, he thus wrote of her: "My love, Sarah! it was not thus that I thought to have requited your affection. I did hope to be a prop round which your affections might have clung, and which would never have been shaken; but a rude blast has snapped it, and they have fallen over a grave." On the day of that fatal event, there was found, sketched by his own hand, with a pen and ink, upon that very table, an admirable likeness of himself, the head severed from the body, which lay near it, surrounded by the scaffold, the axe, and all the frightful paraphernalia of a high-treason execution. What a strange union of tenderness, enthusiasm, and fortitude, do not the above traits of character exhibit! His fortitude, indeed, never for an instant forsook him. On the night previous to his death, he slept as soundly as ever; and when the fatal morning dawned, he arose, knelt down and prayed, ordered some milk, which

he drank, wrote two letters, (one to his brother in America, and the other to the Secretary of State, enclosing it,) and then desired the sheriffs to be informed that he was ready. When they came into his room, he said he had two requests to make—one, that his arms might be left as loose as possible, which was humanely and instantly acceded to. "I make the other," said he, "not under any idea that it can be granted, but that it may be held in remembrance that I have made it—it is, that I may be permitted to die in my uniform."* This, of course, could not be allowed; and the request seemed to have had no other object than to show that he gloried in the cause for which he was to suffer. A remarkable example of his power both over himself and others occurred at this melancholy moment. He was passing out attended by the sheriffs, and preceded by the executioner. In one of the passages stood the turnkey who had been personally assigned to him during his imprisonment. This poor fellow loved him in his heart, and the tears were streaming from his eyes in torrents. Emmett paused for a moment; his hands were not at liberty—he kissed his cheek—and the man, who had been for years the inmate of a dungeon, habituated to scenes of horror, and hardened against their operation, fell senseless at his feet. Before his eyes had opened again upon this world, those of the youthful sufferer had closed on it for ever.

Such is a brief sketch of the man who originated the last State trials in which Mr Curran acted as an advocate. Upon his character, of course, different parties will pass different opinions. Here, he suffered the death of a traitor; in America, his memory is as that of a martyr; and a full-length portrait of him trampling on a crown is one of their most popular signposts. Of his high honour

* The colour of the rebel uniform was *green*.

Mr Curran had an almost extravagant opinion. Speaking of him to me on the occasion already referred to, he said, bitterly as he felt himself aggrieved, "I would have believed the word of Emmett as soon as the oath of any man I ever knew."

Very far is it from my intention to disobey the last request of Emmett, by attempting to place any inscription upon his tomb: that must await the pen of an impartial posterity; and to that posterity his fate will go, were there no other page to introduce it than that of the inspired author of *Lalla Rookh*, who was his friend and contemporary in college, and who thus most beautifully alludes to him in his *Irish Melodies*:

> "O breathe not his name! let it sleep in the shade
> Where, cold and unhonoured, his relics are laid!
> Sad, silent, and dark be the tears that we shed,
> As the night-dew that falls on the grass o'er his head.
>
> But the night-dew that falls, though in silence it weeps,
> Shall brighten with verdure the grave where he sleeps;
> And the tear that we shed, though in secret it rolls,
> Shall long keep his memory green in our souls."

Mr Curran had been originally nominated as one of Emmett's counsel. But, of course, the delicacy of his situation forbade his acting. I am permitted by the kindness of my friend Mr William Henry Curran to copy from his very valuable work a letter addressed by Emmett to his father, after his conviction. I cannot do so, however, without a passing tribute to one whose filial piety has shone so brightly amid his other many virtues. These humble pages, affectionately inscribed to his dear father's memory, were intended rather as personal sketches than as a historic portraiture. That, however, will be found, drawn by a master-hand, in his son's admirable biography.

FROM ROBERT EMMETT, TO JOHN PHILPOT CURRAN, ESQ.

"I did not expect you to be my counsel. I nominated

you, because not to have done so, might have appeared remarkable. Had Mr —— been in town, I did not even wish to see you; but, as he was not, I wrote to you to come to me at once. I know that I have done you very severe injury—much greater than I can atone for with my life; that atonement I did offer to make before the Privy Council, by pleading guilty if those documents were suppressed. I offered more—I offered, if I was permitted, to consult some persons, and if they would consent to an accommodation for saving the lives of others, that I would only require for my part of it, the suppression of those documents, and that I would abide the event of my own trial. This was also rejected; and nothing but individual information (with the exception of names) would be taken. My intention was, not to leave the suppression of those documents to possibility, but to render it unnecessary for any one to plead for me, by pleading guilty to the charge myself.

"The circumstances that I am now going to mention, I do not state in my own justification. When I first addressed your daughter, I expected that in another week my own fate would be decided. I knew that, in case of success, many others might look on me differently from what they did at that moment; but I speak with sincerity when I say, that I never was anxious for situation or distinction myself, and I did not wish to be united to one who was. I spoke to your daughter, neither expecting, nor, under those circumstances, wishing that there should be a return of attachment, but wishing to judge of her dispositions—to know how far they might be not unfavourable or disengaged, and to know what foundation I might afterwards have to count on. I received no encouragement whatever. She afterwards told me she had no attachment for any person, nor did she seem likely to have any that might make her wish to quit you. I staid away till the

time had elapsed, when I found that the event to which I allude was to be postponed indefinitely. I returned by a kind of infatuation, thinking that to myself only was I giving pleasure or pain. I perceived no progress of attachment on her part, nor anything in her conduct to distinguish me from a common acquaintance. Afterwards I had reason to suppose that discoveries were made, and that I should be obliged to quit the kingdom immediately, and I came to make a renunciation of any approach to friendship that might have been formed. On that very day she herself spoke to me to discontinue my visits. I told her that it was my intention, and I mentioned the reason. I then, for the first time, found, when I was unfortunate, by the manner in which she was affected, that there was a return of affection, and that it was too late to retreat. My own apprehensions were, I afterwards found, without cause, and I remained. There has been much culpability on my part in all this, but there has been a great deal of that misfortune which seems uniformly to have accompanied me. That I have written to your daughter since an unfortunate event has taken place, was an additional breach of propriety, for which I have suffered well; but, I will candidly confess, that I not only do not feel it to have been of the same extent, but that I consider it to have been unavoidable after what had passed; for though I will not attempt to justify in the smallest degree my former conduct, yet, when an attachment was once formed between us—and a sincerer one never did exist—I feel that, peculiarly circumstanced as I then was, to have left her uncertain of my situation, would neither have weaned her affection nor lessened her anxiety; and looking upon her as one whom, if I had lived, I hoped to have had my partner for life, I did hold the removing her anxiety above every other consideration. I would rather have had the

affection of your daughter in the back settlements of America, than the first situation the country could afford without it. I know not whether this will be any extenuation of my offence—I know not whether it will be any extenuation of it to know, that if I had that situation in my power at this moment, I would relinquish it to devote my life to her happiness. I know not whether success would have blotted out the recollection of what I have done; but I know that a man with the coldness of death on him, need not be made to feel any other coldness, and that he may be spared any addition to the misery he feels, not for himself, but for those to whom he has left nothing but sorrow." The original is not signed or dated: it was written in the interval between Emmett's conviction and execution.

After Emmett's death, spurious copies of his speech were circulated; and in some of those the speaker was made to accuse Mr Plunket, one of the prosecuting counsel, of very gross ingratitude. Emmett never did so, nor could he have done so with truth. This will be referred to hereafter. That great advocate, however, seemed to me to have made a very unnecessary speech, as Emmett scarcely denied his guilt; and Mr Plunket himself, in the course of his address, declared that "no one capable of putting two ideas together could doubt it." I know, however, he thought he was called upon, not so much to address the jury, as the country through the jury. In the year 1819, he stopped in the hall of the courts to thank me for my mention of him with respect to Emmett in the first edition of this work. I told him I could accept no thanks for doing justice, and added a strong opinion as to the speech on the trial. His answer was, "You did not know the times: they rendered it necessary." At the end of thirty years, retaining the same opinion, I add, that were a

speech necessary, it should have been made by M'Clelland, who, as Solicitor-General, was next in rotation. A very bad one, doubtless, it would have been; but it was not his fault that he was dull, and it was theirs that he was their officer. The speech was very generally canvassed at the time; and undoubtedly in its ardour and its ability, there was nothing left for the Government to desire. However, while the Union oration was still ringing through the country, passages such as the following, from the same lips, must have rather startled its admirers:—"Were it practicable to sever the countries, to untie the links which bind us to the British constitution, and to turn us adrift upon the turbulent ocean of revolution, who could answer for the existence of this country as an independent country for a year? God and nature have made the two countries essential to each other. Let them cling to each other to the end of time, and their united affection and loyalty will be proof against the machinations of the world." Eloquently, ably, and truthfully described; but not one whit more eloquent than the burning vow pronounced two years before on the Union debate, "That if the wanton ambition of the minister should assail the freedom of Ireland, and compel me to the alternative, I would fling the constitution to the winds, and clasp the independence of my country to my heart." Mere words, to be sure, uttered amid the excitement of debate to deter the "wanton ambition of the minister from his purpose;" but still words too splendid in their expression to be easily forgotten, and too noble in their sentiment not to find a home in the heart of every young enthusiast. It ought not, however, in mere justice to this eloquent advocate, to be here omitted that it was said he did not volunteer his exertions, which were specially solicited by the first law officer of the Crown. If this be so, he was, according to

the rules of the profession, bound to render such assistance to his leader as that leader might require from him. This, though it touches not the question as to the necessity of the speech, which seems to have so much excited Emmett, clearly exonerates Mr Plunket.

In narrating such melancholy events, these topics could scarcely have been avoided. I willingly conclude them with an anecdote, which can only be known to very few, and which was related to me by a loved and ever-to-be-lamented friend, the late Bishop of Cashel—a man who combined with talents the most transcendant every virtue which could adorn humanity. A very close contest was proceeding in the year 18— between Mr Plunket and Mr Croker for the representation of the University of Dublin: either candidate would have done honour to its choice. It was quite understood that Dr Sandes, from his well-won popularity, had the election in his hands. Mr Plunket called to canvass him, and the bishop related to me what followed:—"I locked the door," said he, "to avoid all interruption, and at once said, 'Mr Plunket, I know of course the nature of your visit. I need not say I admire your talents, and coincide in your political opinions. But I will deal quite candidly with you. My vote and interest you shall never have, until you fully satisfy me respecting the part you took on the trial of the unfortunate Robert Emmett.' He sat down, entered upon an elaborate explanation, and at the end of an hour I promised the support which made him member for the University." The election which founded the fortunes of Mr Plunket was carried by a very narrow majority, (as I believe, only five,) and there could be no doubt that Dr Sandes decided it.

The curtain had fallen, the scaffold had its victim, and the world's idle work went on as usual, after youth and genius and enthusiasm had thus mournfully passed away

from it. But there was one young heart which Emmett's image had long made its habitation—that of "his love—Sarah." That heart was broken now, but the image still remained amid its ruins. The sequel to her brief sad story is soon told. Her home unhappy, her father offended, her mind daily harassed by associations reminding her of happiness for ever vanished, she sought a solace in the friendly family of Mr Penrose, in the vicinity of Cork. She found there a frequent guest in the person of a Captain Sturgeon. This gentleman became deeply interested in her fate, and prevailed on her, in her desolation, to accept his hand, though she too truly told him her affections were in the grave. In a few short months she was there herself, having died in Sicily broken-hearted. That grave is in the village of Newmarket, her father's birthplace. Who can refuse to it a tear? The following sweet lines of Moore commemorate her misfortunes; and it is said that, when left alone, she was heard to sing them at Mr Penrose's :—

"She is far from the land where her young hero sleeps,
And lovers around her are sighing;
But coldly she turns from their gaze, and weeps,
For her heart in his grave is lying.

"She sings the wild song of her dear native plains,
Every note which he loved awaking—
Ah! little think they who delight in her strains,
How the heart of the minstrel is breaking!

"He had lived for his love, for his country he died—
They were all that to life had entwined him;
Nor soon shall the tears of his country be dried,
Nor long will his love stay behind him.

"Oh, make her a grave where the sunbeams rest,
When they promise a glorious morrow!
They'll shine on her sleep like a smile from the west—
From her own loved island of sorrow."

Captain Sturgeon, who survived her many years, died

in battle in the Peninsular war. Emmett's love breathed her last, a resigned and pious Christian.

Although precluded by circumstances from acting as Emmett's counsel, Mr Curran was assigned to several of the other prisoners, respecting whom the same delicacy did not exist. From his first speech, on the trial of Owan Kirwan, on the 1st of October 1803, I select the exordium, contrasting his then position with that in which he stood in the State trials of 1798.

"I have been chosen," said he, "for the very unpleasant task of defending the prisoner, without my concurrence or knowledge; as soon, however, as I was apprised of it, I accepted it without hesitation. To assist a human being, labouring under the most awful of all situations, trembling in the dreadful alternative of honourable life or ignominious death, was what no man, worthy of the name, could refuse to man; but it would be peculiarly base in any person who had the honour of wearing the king's gown, to leave the king's subject undefended. I cannot, however, but confess that I feel no small consolation when I compare my present with my former situation upon similar occasions. In the sad times to which I allude, it was frequently my fate to come forward to the spot where I now stand, with a body sinking under infirmity and disease, and a mind broken with the consciousness of public calamity, created and exasperated by public folly. It has pleased Heaven that I should live to survive both these afflictions, and I am grateful to its mercy. I now come here through a composed and quiet city—I read no expression in any face save such as marks the ordinary feelings of social life, or the various characters of civil occupation. I see no frightful spectacle of infuriated power or suffering humanity—I see no tortures—I hear no shricks—I no longer see the human heart, charred in the flame of its own wild and paltry

passions—black and bloodless—capable only of catching and communicating that destructive fire by which it devours, and is itself devoured. I no longer behold the ravages of that odious bigotry by which we are deformed, and degraded, and disgraced—a bigotry against which no man should ever miss an opportunity of putting his countrymen, of all sects and of all descriptions, upon their guard: it is the accursed and promiscuous progeny of servile hypocrisy, of remorseless thirst of power, of insatiate thirst of gain, labouring for the destruction of man, under the specious pretences of Religion—her banner stolen from the altar of God, and her allies congregated from the abysses of hell, she acts by votaries to be restrained by no compunctions of humanity, for they are dead to mercy; to be reclaimed by no voice of reason, for refutation is the bread on which their folly feeds; they are outlawed alike from their species and their Creator; the object of their crime is social life, and the wages of their sin is social death; for, though it may happen that a guilty individual should escape from the law that he has broken, it cannot be so with nations —their guilt is too extensive and unwieldy for such an escape: they may rest assured that Providence has, in the natural connection between causes and their effects, established a system of retributive justice, by which the crimes of nations are, sooner or later, avenged by their own inevitable consequences. But that hateful bigotry—that baneful discord—which fired the heart of man, and steeled it against his brother, has fled at last, and, I trust, for ever. Even in this melancholy place I feel myself restored and recreated by breathing the mild atmosphere of justice, mercy, and humanity. I feel I am addressing the parental authority of law—I feel I am addressing a jury of my countrymen, my fellow-subjects, and my fellow-christians, against whom my heart is waging no concealed

hostility—from whom my face is disguising no latent sentiment of repugnance or disgust. I have not now to touch the high-raised strings of angry passions in those that hear me ; nor have I the terror of thinking that if those strings cannot be snapped by the stroke, they will be only provoked into a more instigated vibration."

The following noble passage from this speech I quote, both for its eloquence and for the lesson it contains, entreating my countrymen, of all classes and persuasions, to commit it to their memories, and lay it to their hearts as a precious legacy from a true lover of liberty, and a devoted friend to Ireland. The race of "missionaries" to which Mr Curran alludes is by no means extinct ; and those who preach doctrines directly leading to the dismemberment of the empire and the ruin of both countries, will, it is to be hoped, not outweigh in public estimation a man "whose whole life ought to be a pledge for his sincerity and affection."

"Now," said Mr Curran, "it is clear that there are but two modes of holding states together—namely, community of interest, or predominance of force. The former is the natural bond of the British empire. Their interests, their hopes, their dangers, can be no other than one and the same, if they are not stupidly blind to their own situation; and stupidly blind indeed must they be, and justly must they incur the inevitable consequences of that blindness and stupidity, if they have not fortitude and magnanimity enough to lay aside those mean and narrow jealousies, which have hitherto prevented that community of interest and unity of effort by which alone we can stand, and without which we must fall together. But force only can hold the requisitions of the First Consul. What community of interest can he have with the different nations that he has subdued and plundered ? Clearly none. Can he venture

to establish any regular and protected system of religion among them? Wherever he erected an altar, he would set up a monument of condemnation and reproach upon those wild and fantastic speculations, which he is pleased to dignify with the name of philosophy, but which other men, perhaps because they are endued with a less aspiring intellect, conceive to be a desperate anarchical atheism, giving to every man a dispensing power for the gratification of his passions, teaching him that he may be a rebel to his conscience with advantage, and to his God with impunity. Just as soon would the Government of Britain venture to display the Crescent in their churches, as an honorary member of all faiths to show any reverence to the Cross in his dominions. Apply the same reasoning to liberty. Can he venture to give any reasonable portion of it to his subjects at home, or his vassals abroad? The answer is obvious. Sustained merely by military force, his unavoidable policy is, to make the army everything and the people nothing. If he ventured to elevate his soldiers into citizens, and his wretched subjects into freemen, he would form a confederacy of mutual interest between both, against which he could not exist a moment. If he relaxed in like manner with Holland, or Belgium, or Switzerland, or Italy, and withdrew his armies from them, he would excite and make them capable of instant revolt. There is one circumstance which just leaves it possible for him not to chain them down still more rigorously than he has done, and that is, the facility with which he can pour military reinforcements upon them in case of necessity. But destitute as he is of a marine, he could look to no such resource with respect to any insular acquisition; and he of course should guard against the possibility of danger, by so complete and merciless a thraldom as would make any effort of resistance physically impossible. Perhaps,

my lords and gentlemen," continued Mr Curran, "I may be thought the apologist, instead of the reviler, of the ruler of France. I affect not either character. I am searching for the motives of his conduct, and not for the topics of his justification. I do not affect to trace these motives to any depravity of heart or of mind, which accident may have occasioned for the season, and which reflection or compunction may extinguish or allay, and thereby make him a completely different man with respect to France and to the world. I am acting more fairly and more usefully by my country, when I show that his conduct must be so swayed by the permanent pressure of his situation, by the control of an unchangeable and inexorable necessity, that he cannot dare to relax or relent, without becoming the certain victim of his own humanity or contrition. I may be asked, are these merely my own speculations, or have others in Ireland adopted them? I answer freely, *Non meus hic sermo est.* It is, to my own knowledge, the result of serious reflection in numbers of our countrymen. In the storm of arbitrary sway, in the distraction of torture and suffering, the human mind had lost its poise and its tone, and was incapable of sober reflection; but, by removing these terrors from it, by holding an even hand between all parties, by disdaining the patronage of any sect or faction, the people of Ireland were left at liberty to consider her real situation and interest, and, happily for herself, I trust in God, she has availed herself of the opportunity. With respect to the higher orders, even of those who thought they had some cause to complain, I know this to be the fact—they are not so blind as not to see the difference between being proud and jealous, and punctilious in any claim of privilege or right between themselves and their fellow-subjects, and the mad and desperate depravity of seeking the redress of any dis-

satisfaction that they may feel by an appeal to force, or by the dreadful recourse to treason and to blood. As to the humbler orders of our people, for whom I confess I feel the greatest sympathy, because there are more of them to be undone—and because, from want of education, they must be more liable to delusion, I am satisfied the topics to which I have adverted apply with still greater force to them than to those who are raised above them. I have not the same opportunity of knowing their actual opinions; but if these opinions be other than I think they ought to be, would to God they were present in this place, or that I had the opportunity of going into their cottages! And they well know that I should not disdain to visit them, and to speak to them the language of affection and candour on the subject. I should have little difficulty in showing to their quick and apprehensive minds how easy it is, when the heart is incensed, to confound the evils which are inseparable from the destiny of imperfect man, with those which arise from the faults or errors of his political situation. I would put a few questions to their candid and unadulterated sense; I would ask them, Do you think that you have made no advance to civil prosperity within the last twenty years? Are your opinions of modern and subjugated France the same that you entertained of popular and revolutionary France fourteen years ago? Have you any hope, that, if the First Consul got possession of your island, he would treat you half so well as he does those countries at his door, whom he must respect more than he can respect or regard you? And do you know how he treats those unhappy nations? You know that in Ireland there is little personal property to plunder; that there are few churches to rob. Can you, then, doubt, that he would reward his rapacious generals and soldiers by parcelling out the soil of the island

among them, and by dividing you into lots of serfs to till the respective lands to which they belonged? Can you suppose that the perfidy and treason of surrendering your country to an invader, would to your new master be any pledge of your allegiance? Can you suppose that, while a single French soldier was willing to accept an acre of Irish ground, he would leave that acre in the possession of a man who had shown himself so wickedly and so stupidly dead to the suggestions of the most obvious interest, and to the ties of the most imperious moral obligations? What do you look forward to with respect to the aggrandisement of your sect? Are you Protestants?—He has abolished Protestantism with Christianity. Are you Catholics?—Do you think he will raise you to the level of the Pope?—Perhaps—and I think he would not; but if he did, could you hope more privilege than he has left His Holiness? And what privilege has he left him?—He has reduced his religion to be a mendicant for contemptuous toleration; and he has reduced his person to beggary and to rags. Let me ask you a further question: Do you think he would feel any kind-hearted sympathy for you? Answer yourselves, by asking, what sympathy does he feel for Frenchmen, whom he is ready to bury by thousands in the ocean, in the barbarous gambling of his wild ambition? What sympathy, then, could bind him to you? He is not your countryman; the scene of your birth and your childhood is not endeared to his heart by the reflection that it was also the scene of his. He is not your fellow-christian: he is not, therefore, bound to you by any similarity of duty in this world, or by any union of hope beyond the grave. What, then, could you suppose the object of his visit, or the consequence of his success? Can you be so foolish as not to see that he would use you as slaves, while he held you—and that, when he grew

weary, which he soon would become, of such a worthless and precarious possession, he would carry you to market in some treaty of peace, barter you for some more valuable concession, and surrender you to expiate, by your punishment and degradation, the advantage you had given him by your follies and your crimes? There is another topic on which a few words might be addressed to the deluded peasant of this country. He might be asked—What could you hope from any momentary success of any effort to subvert the Government by mere intestine convulsion? Could you look forward to the hope of liberty or property? Where are the characters, the capacities, and the motives of those that have embarked in these chimerical projects? —You see them a despicable gang of needy adventurers; desperate from guilt and poverty, uncountenanced by a single individual of probity or name; ready to use you as the instruments, and equally ready to abandon you, by treachery or flight, as the victims of their crimes. For a short time, murder and rapine might have their sway; but don't be such a fool as to think, that, though robbing might make a few persons poor, it could make many persons rich. Don't be so silly as to confound the destruction of property with the partition of wealth. Small must be your share of the spoil, and short your enjoyment of it. Soon, trust me, very soon, would such a state of things be terminated by the very atrocities of its authors. Soon would you find yourself subdued, ruined, and degraded. If you looked back, it would be to character destroyed, to hope extinguished. If you looked forward, you could only see that dire necessity you had imposed upon your governors of acting towards you with no feelings but those of abhorrence and of self-preservation; of ruling you by a system of coercion, of which alone you would be worthy; and of loading you with taxes (that is, selling the food and

raiment which your honest labour might earn for your family) to defray the expense of that force by which only you could be restrained. Say not, gentlemen, that I am inexcusably vain when I say, would to God that I had an opportunity of speaking this plain, and, I trust, not absurd language, to the humblest orders of my countrymen! When I see what sort of missionaries can preach the doctrines of villany and folly with success, I cannot think it very vain to suppose, that they would listen with some attention and some respect to a man who was addressing plain sense to their minds, whose whole life ought to be a pledge for his sincerity and affection; who had never, in a single instance, deceived, or deserted, or betrayed them; who had never been seduced to an abandonment of their just rights, or a connivance at any of their excesses, that could threaten any injury to their characters."

About this period Mr Curran was brought down special to Cork, in order to prosecute Sir Henry Hayes for the abduction of Miss Pike, a Quaker lady of considerable fortune. As the circumstances of the case are very ably detailed in the subsequent speech, it is unnecessary for me to recapitulate them. Sir Henry Hayes was convicted, and sentenced to death; which sentence was, however, afterwards commuted to transportation for fourteen years. The speech is a very able one, and in some parts extremely beautiful. It is not in the published collection, and its discovery cost me some trouble. It has the rare advantage of having received its author's correction. Sir Henry was very popular in Cork, among the lower orders particularly. An old fishwoman, who had known Curran for many years on that circuit, which he originally went, saluted him, as he was going into the court-house, with the common Irish cheer of encouragement—"Huzza, Counsellor! I hope you'll gain *the day*."—"Take care, my good

woman," answered Curran, good-humouredly, "if I should, that you don't lose *the knight.*" The following is the speech which he then delivered. Sir Henry has since returned from transportation.

" My Lord, and gentlemen of the jury, it is my duty, as one of the counsel in this prosecution, to state to your Lordship, and to you, gentlemen of the jury, such facts as I am instructed will be established by evidence, in order that you may be informed of the nature of the offence charged by the indictment, and be rendered capable of understanding that evidence, which, without some previous statement, might appear irrelevant or obscure. And I shall make a few such observations in point of law on the evidence we propose to adduce, with respect to the manner in which it will support the charge, if you shall believe it to be true, as may assist you in performing that awful duty which you are now called upon to discharge. In doing so, I cannot forget upon what very different ground from that of the learned counsel for the prisoner I find myself placed. It is the privilege, it is the obligation of those who have to defend a client on a trial for his life, to exert every force, and to call forth every resource, that zeal, and genius, and sagacity can suggest. It is an indulgence in favour of life; it has the sanction of usage; it has the permission of humanity; and the man who should linger one single step behind the most advanced limit of that privilege, and should fail to exercise every talent that Heaven had given him in that defence, would be guilty of a mean desertion of his duty, and an abandonment of his client. Far different is the situation of him who is concerned for the Crown. Cautiously should he use his privileges; scrupulously should he keep within the duties of accusation. His task is to lay fairly the nature of the case before the Court and the jury. Should he endeavour to

gain a verdict otherwise than by evidence, he were unworthy of speaking in a court of justice. If I heard a counsel for the Crown state anything that I did not think founded in law, I should say to myself, God grant that the man who has stated this may be an ignorant man, because his ignorance can be his only justification. It shall therefore be my endeavour so to lay the matters of fact and of law before you, as shall enable you clearly to comprehend them; and finally, by your verdict, to do complete justice between the prisoner and the public.

"My Lord, and gentlemen of the jury, this is an indictment found by the grand jury against the prisoner at the bar, for having feloniously carried away Mary Pike, with intent, against her will, to marry her: there is another charge also, that he did feloniously carry her away with intent to defile her. There was a former statute made on this subject, enacting the punishment of death against any man that should by violence carry away a female, and actually marry or defile her; but it was found that young creatures, the victims of this sort of crime, from their natural timidity, and the awful impression made upon them in an assembly like the present, were often unequal to the task of prosecution, and that offences against that statute often passed unpunished, because the natural delicacy and modesty of the sex shrunk from the revolting details that were called for on such trials. It therefore became necessary to enact a new law upon the subject, making the taking away with intent to marry or defile, although, in fact, no such marriage or defilement had taken place, felony of death. Thus was suppressed the necessity of all those shocking but necessary details that were otherwise required. Of the enormity of the crime, I trust, I need say but little. I trust in God there could not be found in this great city twelve men to whom it could be

necessary to expatiate on the hideous enormity of such an offence. It goes to sap the foundation of all civil society; it goes to check the working of that natural affection which Heaven has planted in the breast of the parent for the child; in fact, gentlemen of the jury, if crimes like this shall be encouraged and multiplied by impunity, why should you defraud your own gratifications of the fruits of your industry? Why lay up the acquisitions of self-denying toil as an advancement for your child? Why check your own appetites to give her all? Why labour to adorn her person or her mind with useless, with fatal accomplishments? —You are only decking her with temptations for lust and rapine; you are refining her heart, only to make her feel more profoundly the agony of violation and of dishonour. Why, then, labour to multiply the inducements of the ravisher? Why labour to augment and to perpetuate the sufferings of the victim? Instead of telling you my opinion of the enormity of this crime, I will tell you that of the Legislature upon it—the Legislature has deemed it a crime deserving the punishment of death. I will now state to you the facts as I am instructed they will appear to you in evidence.

"The prisoner at the bar (and, considering his education, his age, his rank, and situation in society, I do regret from my soul that he is there) married many years ago; his wife died, leaving him the surviving parent of, I believe, many children. Miss Mary Pike is the only child of a person whom, I suppose, you all know—Mr Samuel Pike, of this city. He had devoted a long life to a very persevering and successful industry, and died advanced in years, leaving this only child entitled to all the fruits of his laborious and persevering application. The property she is entitled to, I understand, is very great indeed. At the time of the transaction to which your attention must

be called, she was living in the house and under the protection of a universally-respected member of society, Mr Cooper Penrose. From the moment her mind was susceptible of it, no expense was spared to give her every accomplishment that she was capable of receiving; and in the house of her own father, while he lived, and in the house of Mr Penrose, when she came under his protection, her mind was formed to the most correct principles of modesty, and delicacy, and decorum, with that additional characteristic humility and reserve that belongs to that most respectable sect of which her father was a member. The prisoner at the bar, it seems, had heard of her, and had heard of her property; for it is a material circumstance in this case that he never, by any accident, had seen her, even for a moment, until he went to see and identify her person, and mark her out the victim of his projected crime. He was not induced by the common motives that influence young men—by any individual attachment to the mind or the person of the lady; it will appear that his first approach to her was meanly and perfidiously contrived, with the single purpose of identifying her person, in order that he might feloniously steal it, as the title-deed of her estate. Some time before the 22d of July, in the year 1797, he rode down to the residence of Mr Penrose. Mr Penrose has a country-house, built in a very beautiful situation, and which attracts the curiosity of strangers, who frequently go to see it. The prisoner at the bar went into the grounds as one of these, and seemed to observe everything with great attention. Mr Penrose immediately came out to him, and conducted him to whatever objects he supposed might gratify his curiosity: he affected to be much entertained; he lingered about the grounds till the hour of Mr Penrose's dinner approached; Mr Penrose, quite a stranger to the prisoner at the bar, was not, I suppose,

very anxious to invite a perfect stranger in among his family—more desirous, probably, of enjoying the little exclusive confidential intercourse of that family; however, with that good nature which any man of his family and honest turn of mind will feel it his duty to exercise, he did invite Sir Henry Hayes to dinner. The invitation was accepted of; and thus the first step towards the crime he meditated, was an abuse of the sacred duty which the hospitality of his host imposed upon him as a man and as a gentleman. He placed himself at the friendly and unsuspecting board, in order to the accomplishment of his design by the most unfeeling and unextenuated violation of the rights of the host, whom he made his dupe—of the lady, whom he marked as his victim—and of the law, which he determined to trample upon and disgrace by the commission of a felony of death. There, when the eye of the prisoner could escape from the smiles that were lavished upon him—those honest smiles of respect and cordiality that come only from the heart—it was to search the room, to find out who probably was the person that he had come to identify. He made his observation, and took his departure; but it was not a departure for the last time. Mrs Pike, the widow, mother of the prosecutrix, was then in Cork, in a dangerous state of health. In order to get Miss Pike out of the hands of her protector, a stratagem was adopted. Dr Gibbings was the attending physician upon her mother; it does not appear that the prisoner knew Dr Gibbings's hand; it was necessary that a letter should be sent as if from Dr Gibbings; but, to do so with effect, it was necessary that a letter should be written to Mr Penrose in a handwriting bearing such a similitude to the Doctor's as might be likely to pass for genuine. To qualify himself for this, the prisoner at the bar made some pretext for sending a written message to Dr Gibbings,

which procured in return a written answer from the Doctor. Thus was he furnished with the form of the handwriting of Dr Gibbings, which he intended to counterfeit; and accordingly there was written on the 22d day of July 1797, a letter, so like the character of Dr Gibbings, that he himself on a slight glance would be apt to take it for his own. It was in these words: "Dear Sir,—Our friend, Mrs Pike, is taken suddenly ill; she wishes to see Miss Pike; we would recommend despatch, as we think that she has not many hours to live. Yours, Robert Gibbings." Addressed "To Mr Cooper Penrose." The first step to the crime was a flagrant breach of hospitality; and the second, towards the completion, was the inhuman fraud of practising upon the piety of the child, to decoy her into the trap of the ravisher; to seduce her to destruction by the angelic impulses of that feeling that attaches her to the parent; that sends her after the hour of midnight, from the house of her protector, to pay the last duty, and to receive the parting benediction. Such was the intention with which the prosecutrix, on a rainy night, between one and two o'clock in the morning, rose from her bed; such was her intention, it was not her destination; it was not to visit the sick bed of a parent; it was not to carry a daughter's duty of consolation to her dying mother; it was not for that she came abroad; it was, that she might fall into the hands of preconcerted villany; that she should fall into that trap that was laid for her, with the intention to despoil her of everything that makes human existence worth the having by any female who has any feeling of delicacy or honour. I should state to you, that she left the house of Mr Penrose in his carriage, attended by two female relations, one of them his daughter; and when they had advanced about half way to Cork, the carriage was suddenly met by four or five men. They ordered

the coachman to stop. One of them was dressed in a great coat, and armed with pistols, and had the lower part of his face concealed, by tying a handkerchief round it. The ladies, as you may suppose, were exceedingly terrified at such a circumstance as this; they asked, as well as extreme terror would permit, what they sought for; they were answered, "They must be searched:" on looking about, they observed another chaise stationed near the place where they were detained. It will appear to you, that Miss Pike was forcibly taken out of the carriage from her friends; that she was placed in the other chaise which I have mentioned, in which she found—shame to tell it—she found a woman. The traces of Mr Penrose's chaise were then cut; and the ladies that came in it, left of course to find their way as well as they could, and return in the dark. The carriage into which the prosecutrix was put, drove off towards Cork; the female that was with her, will appear to you to have been the sister of the prisoner. Happy, happy for her! that death has taken her away from being the companion of his trial, and of his punishment, as she was the accomplice of his guilt: but she is dead. The carriage drove on to the seat belonging to the prisoner at the bar, called Vernon Mount, in the liberties of the city. At the bottom of his avenue, which it seems is a steep ascent, and of considerable length, the horses refused to go on; upon which the prisoner rode up to the chaise; dismounted from his horse, which he gave to one of his attendants, opened the door, took the prosecutrix out, and carried her struggling in his arms, the whole length of the avenue to his house; when he arrived there he carried her up stairs, where she saw a man attired in somewhat like the dress of a priest; and she was then told that she was brought there to marry the prisoner at the bar. In what frame of mind the miserable wretch

must have been, any man that has feelings must picture to himself. She had quitted the innocent and respectable protection of her friends and family; and found herself, good God!—where?—in the power of an inexorable ravisher, and surrounded by his accomplices: she looked in every mean and guilty countenance; she saw the base unfeeling accomplices induced by bribe, and armed for present force, bound and pledged by the community of guilt and danger, by the felon's necessity, to the future perjury of self-defence. Thus situated, what was she to look to for assistance? What was she to do? Was she to implore the unfeeling heart of the prisoner? As well might she have invoked her buried father to burst the cerements of the grave, and rise to the protection of his forlorn and miserable child. There, whatever sort of ceremony they thought right to perform, took place; something was muttered in a language, which she partly did not hear, and partly could not understand: she was then his wife—she was then Lady Hayes. A letter was then to be written to apprise her miserable relations of their new affinity: a pen was put into her hand, and she consented to write, in hopes that it might lead to her deliverance; but when the sad scroll was finished, and the subscription only remained, neither entreaties nor menaces could prevail upon her, desolate and forlorn as she was, to write the odious name of the ravisher. She subscribed herself by the surname of her departed father: as if she thought there was some mysterious virtue in the name of her family to which she would cling, in that hour of terror, as a refuge from lawless force and unmerited suffering. A ceremony of marriage had taken place; a ring was forced upon her finger; she tore it off, and indignantly dashed it from her; she was then forced into an adjoining chamber, and the prisoner brutally endeavoured to push her towards the bed.

"My Lord, and gentlemen of the jury, you will soon see this young lady. You will see that whatever grace or proportion her person possesses, it does not seem formed for much power of resistance or of self-defence. But there is a last effort of sinking modesty, that can rally more than the powers of nature to the heart, and send them to every fibre of the frame, where they can achieve more than mere vulgar strength can do upon any ordinary occasion. That effort she did make, and made it with effect; and in that instance, innocence was crowned with success. Baffled and frustrated in his purposes of force, he sought to soften, to conciliate. He expostulated, he supplicated. 'And do you not know me?' said he. 'Don't you know who I am?' 'Yes,' answered she, 'I do know you; I do now remember you did go to my cousin's, as you say you did. I remember your mean intrusion—you are Sir Henry Hayes.' How naturally do the parties support their characters! The criminal puts his questions under the consciousness of guilt, as if under the forecast of his present situation. The innocent victim of that guilt regards him already as his prosecutrix; she recognises him, but it is only to identify him as a malefactor, and to disclaim him as a husband. Gentlemen, she remained in this captivity until her friends got intelligence of her situation. Justice was applied to. A party went to the house of the prisoner for the purpose of enlarging her. The prisoner at the bar had fled; his sister, his accomplice, had fled. They left behind them Miss Pike, who was taken back by her relations. Informations were lodged immediately. The prisoner absconded. It would be base and scandalous to suffer a crime of that kind to pass with impunity, without doing everything that could be done to bring the offender to justice. Government was apprised of it. Government felt as it ought. There was offered by pro-

clamation a reward to a considerable amount, for taking the prisoner. The family of Miss Pike did as they ought —they offered a considerable sum, as the reward for his apprehension. For some time he kept in concealment. The rewards were offered in vain; the process of the law went on; an indictment, to the honour of this city, to the honour of the national character, was found; they proceeded to the outlawry of the prisoner. What I have stated hitherto reflects honour upon all persons concerned, except the unhappy man at the bar and his accomplices; but what I am about to relate is a circumstance that no man of feeling or humanity can listen to without indignation. Notwithstanding that outlawry, notwithstanding the publicly offered rewards, to the amount of near one thousand pounds, for the apprehension of the prisoner at the bar—would to God the story could not be told in a foreign country! would to God it were not in the power of those so ready to defame us to adduce such a circumstance in corroboration of their charge!—for near two years did the prisoner live in public, almost in the heart of your city—reading in every newspaper, over his tea, the miserable proclamation of impotent public justice, of the laws defiled and trampled upon. The second city in the nation was made the hiding-place—no, no! not the hiding-place where guilt hid its head, but the receptacle where it walked abroad unappalled, and threw your degraded city into the odious predicament of being a sort of public accessary and accomplice in his crime, by giving it that hideous appearance of protection and impunity. Here he strayed, basking in the favour of a numerous kindred and acquaintance, in a widely extended city. Sad reverse! It was not for guilt to fly—it was for guilt to stand, and bay at public justice. It was only for innocence to betake itself to flight. It was not the ravisher that fled—it was

the helpless female, the object of his crime, the victim of his felony. It was hers to feel that she could despair even of personal protection in that country which harboured and cherished the delinquent. It was she who was hunted, a poor fugitive, from her family and her home, and was forced to fling herself at the feet of a foreign nation, a suppliant for personal protection. She fled to England, where she remained for two years. A few months ago, previous to the last term, a letter was written and sent to Miss Pike, the prosecutrix, by the prisoner. The purport of it was, to state to her that his conduct to her had been honourable and delicate, and asserting that any lady, possessed of the smallest particle of humanity, could not be so sanguinary as to wish for the blood of an individual, however guilty—intimating a threat, that her conduct upon this occasion would mark her fate through life—desiring her to withdraw her advertisements—saying he would abide his trial at the assizes of Cork—boasting his influence in the city in which he lived—thanking God he stands as high as any man in the regards of rich and poor, of which the inefficacy of her present and former rewards must convince her. He thought, I suppose, that an interval of two years—during which he had been an outlaw, and had resided among his friends—had brought the public mind to such a state of honourable sympathy in his favour, as would leave any form of trial perfectly safe. After this he thought proper to appear, and the outlawry was reversed without opposition by counsel for the prosecution, because their object was not to take any judgment of outlawry upon which he might be executed, but to admit him to plead to the charge, and take his trial by a jury of his country. He pleaded to that indictment in the Court above, and accordingly he now stands at the bar of this Court for the purpose of trial. The publicity of his living in this city,

of his going to festivals and entertainments, during the course of two years, did impress the minds of the friends of this unhappy lady with such a despair of obtaining public justice, that they did struggle hard, not, as it is said, to try the offence by a foreign jury, but to try the offence at a distant place in the capital, where the authority of the Court might keep public justice in some sort of countenance. That application was refused; and justly did you, my Lord, and the learned judges, your brethren, ground yourselves upon the reason which you gave. 'We will not,' said you, 'give a judicial sanction to a reproach of such a scandalous atrocity upon any county in the land, much less upon the second city in it.' 'I do remember,' said one of you, 'a case, which happened not twenty years since. A similar crime was committed on two young women of the name of Kennedy: it was actually necessary to guard them through two counties with a military force as they went to prosecute; that mean and odious bias, that the dregs of every community will feel by natural sympathy with everything base, was in favour of the prisoners. Every means was used to try and baffle justice, by practising upon the modesty and constancy of the prosecutrixes and their friends; but the infatuated populace, that had assembled together to celebrate the triumph of an acquittal, were the unwilling spectators of the vindication of the law. The Court recollected that particular respect is due to the female who nobly comes forward to vindicate the law, and gives protection to her sex. The jury remembered what they owed to their oaths, to their families, to their country. They felt as became the fathers of families, and foresaw what the hideous consequence would be of impunity in a case of manifest guilt. They pronounced that verdict which saved their characters, and the offenders were executed.' I am glad that the Court of King's Bench

did not yield to the despair which had taken place in the minds of those who were anxious to bring the prosecution forward. I am glad the prisoner was sent to this bar, in order that you may decide upon it. I have stated to you, gentlemen of the jury, the facts that I conceive material. I have stated that it was necessary, and my duty as counsel for the Crown, to give you an exact idea of the nature of the offence, of the evidence, and of the law, that you may be enabled to combine the whole case together, and to pronounce such a verdict as shall fairly decide the question, which you are sworn to try, between the prisoner and the public. Anything, I say, either as to the fact or as to the law, ought not to attract anything more than bare attention for a single moment. It should make no impression upon your belief unless confirmed by credible evidence. I am merely stating facts from instruction, but I am not a witness. I am also obliged, as I told you, to make observations as to the law, but that is wholly submitted to the Court, to which it is your duty, as well as mine, to bow with all becoming deference and respect."

Having here stated the law, as applicable to the facts, Mr Curran thus proceeded—"I know what kind of defence may be set up. There are some defences, which, if they can be established clearly, must acquit the prisoner. If he did not do this, if she was not taken away, or if Sir Henry took no share in the transaction, there can be no doubt in the case. It will be for your consciences to say, whether this be a mere tale of the imagination, unsupported by truth, and uncorroborated by evidence. It is material, however, to state to you, that, as soon as guilt is once established in the eye of the law, nothing that the party can do can have any sort of retrospect, so as to purge that criminality, if once completed. It is out of the power of the expiring victim of a death-blow, to give any release or

acquittal to his murderer; it is out of the power of any human creature, upon whom an illegal offence has been committed, by any act of forgiveness, to purge that original guilt; and, therefore, the semblance of a marriage is entirely out of the case. In the case of the Misses Kennedy, the young ladies had been obliged to submit to a marriage and cohabitation for a length of time; yet the offenders were most justly convicted, and suffered death. It is, therefore, necessary for you to keep your minds and understandings so fixed upon the material points of the charge, as that, in the course of the examination, no sidelong view of the subject may mislead or divert your attention. The point before you is, whether the crime was once committed; and if so, nothing after happening can make any sort of difference upon the subject. It has been," continued he, "my most anxious wish to abstain, as far as was consistent with my duty, from every the remotest expression of contumely or disrespect to the unhappy prisoner at the bar; or to say or to do anything that might unhinge his mind or distract his recollection, so as to disable him from giving his whole undisturbed reflection to the consideration of his defence; but it is also a sacred duty, which every man placed in my situation owes to public justice, to take care, under the affectation of false humanity, not to suffocate that charge which it is his duty to unfold, nor to frustrate the force of that evidence which it is his duty to develope. Painful must it be to the council, to the jury, and the Court, who are bound by their respective duties to prosecute, to convict, and to pronounce; and to draw down the stroke of public justice, even upon the guilty head; but despicable would they all be, if, instead of surrendering the criminal to the law, they could abandon the law to the criminal; if, instead of having mercy upon outraged justice and injured innocence, they

should squander their disgraceful sympathy upon guilt alone. Justice may weep ; but she must strike, where she ought not to spare. We too ought to lament ; but, when we mourn over crimes, let us take care that there be no crimes of our own upon which our tears should be shed. Gentlemen, you cannot be surprised that I hold this language to you. Had this case no reference to any country but our own, the extraordinary circumstances attending it, which are known to the whole nation, would well warrant much more than I have said. But you cannot forget that the eyes of another country also are upon you ; another country, which is now the source of your legislation. You are not ignorant of what sort of character is given of us there—by what sort of men, and from what kind of motive. Alas ! we have no power of contradicting the cruel calumnies that are there heaped upon us, in defiance of notorious truth, and of common mercy and humanity ; but, when we are there charged with being a barbarous race of savages, with whom no measures can be held, upon whose devoted heads legislation can only pour down laws of fire, we can easily, by our own misconduct, furnish proof that a much less willing belief may corroborate their evidence, and turn their falsehood into truth. Once more, and for the last time, let me say to you, you have heard the charge. Believe nothing upon my statement. Hear and weigh the evidence. If you doubt its truth, acquit without hesitation. By the laws of every country, because by those of eternal justice, doubt and acquittal are synonymous terms. If, on the other hand, the guilt of the prisoner shall unhappily be clearly proved, remember what you owe to your fame, your conscience, and your country. I shall trouble you no further, but shall call evidence in support of the indictment ; and I have not a doubt, that there will be such a verdict given, whether of conviction or

acquittal, as may hereafter be spoken of without kindling any shame in yourselves or your country."

From this period he continued in considerable practice in his profession, alternately devoted to its duties, and to the enjoyments of society—enjoyments, indeed, which the business must have been very urgent that could tempt him to relinquish them. An attention to the pleasures, to the exclusion of the labours of life, has been made a constant article of accusation against him, certainly not without some foundation; but it is one to which he always gave a most indignant denial. However, his notions of industry were very ludicrous. An hour to him was a day to another man; and in his natural capabilities his idleness found a powerful auxiliary. His natural genius never deserted him—the want of legal learning was compensated by eloquence, ingenuity, and wit; and if it must be conceded that there were many men as lawyers his superiors, it may be maintained, with much more justice, that there was no one as advocate his equal. A distinction has, indeed, in almost all ages and all countries been attempted to be drawn between the man of eloquence and the man of learning in this profession, as if it were quite impossible for the same person to be at once brilliant and profound. The reason of this is very obvious. Genius is a gift but sparingly bestowed—industry is in the power of every blockhead; and therefore it is that the multitude are interested in detracting from the excellence to which they aspire in vain. Pope's learned serjeants in Westminster Hall, who undervalued the learning, because they could not rival the genius of Lord Mansfield, were, in their own parlance, human precedents for many of Curran's calumniators—

> "Each had a gravity would make you split,
> And shook his head at Murray *as a wit.*"

It is, indeed, a very easy, but at the same time a very

significant method of condemnation. Every barrister can "shake his head;" and too often, like Sheridan's Lord Burleigh, it is the only proof he vouchsafes of his wisdom. Curran used to call these fellows "legal pearl-divers." "You may observe them," he would say, "their heads barely under water—their eyes shut, and an index floating behind them, displaying the precise degree of their purity and their depth." In his early day it is indisputable that black-letter learning was not so much cultivated by the profession as it is at present. The parliament was local. A seat in it was the aim of every young barrister's ambition; and to excel in that assembly, eloquence was much more necessary than learning. The consequence was, that most men calculated to shine in the courts, rather aimed at being advocates than lawyers; and, indeed, the very highest forensic elevation too often depended upon political importance. That day has, however, now passed away; and let us hope that in the learning, the integrity, and the eloquence of her bench and her bar, Ireland may find some compensation for the loss of her parliament, and the ruin of her independence. However, it is a great mistake to suppose that Mr Curran was universally indolent. It is quite impossible that any man who had not, at some time or other, devoted himself seriously to study, could have attained his acquisitions and his accomplishments. He was a most admirable classical scholar; with the whole range of English literature he was perfectly acquainted; he not only spoke French like a native, but was familiar with every eminent author in that language; and he had acquired a knowledge of music, that entitled him more to the character of a master than a proficient. His execution both on the violin and the violoncello was admirable, and the exquisite euphony of his sentences may perhaps be traced to his indefatigable attention to this study. Verbal

discordance naturally enough offended the ear which had habituated itself to tones of harmony. He had also what I would rather call a propensity than a taste for poetry. Whether it resulted from an affectation of singularity, or from the sincerity of judgment, his opinions upon this subject always struck me as very wild and whimsical. There are many, perhaps, who may remember his table dissertations upon Milton; and I choose to call them dissertations, although delivered in conversation, because they were literally committed to memory. It was very easy, in vulgar phrase, to *draw on him* for the criticism; and, to do him justice, he never refused acceptance. That criticism was certainly a finished specimen, at once of his want of taste, and of his wonderful talents. He hated Milton like one of the inhabitants of his own pandemonium. His choice of a subject, which had so long perplexed the poet, he thought peculiarly injudicious. "If the theme was true," he would say, "it ought not to be the topic of profane poetry; and if it was not true, it would be very easy to have invented one more interesting." He would then run through the management of the poem, in a strain of alternate ridicule and sublimity, that was quite amazing. It was as impossible to hear his disbelief that the Almighty could wage war upon his angels, without an awful admiration; as it was his description of primitive simplicity, without laughter. Adam and Eve he certainly treated with very little filial reverence. However, here I must be understood to represent him rather as criticising the poet, than giving his own opinions upon those awful subjects. Whatever those opinions were, it was not for me to scrutinise; but it is only an act of strict justice to his memory to say, that I never heard from his lips an irreverent word against religion. He was far too wise for any such impious merriment. He was far too witty to have recourse for

ridicule to such solemnities; and I am convinced, even if he had entertained any doubts upon the subject, he would have been horror-struck at the thought of unfixing faith by their communication. Indeed, so little idea had he of any real happiness in this world without some religious reference to the next, that he had a twofold recommendation which he advised every young man to adopt—first, to marry a manageable wife; and next, if he had no religion, by all means to adopt one. Upon this subject, as well as upon many others, the vilest calumnies were let loose against him; but those who invented, and those who circulated such aspersions, knew him very little. It was the pitiful invention of defeated rivalry, echoed by the gossipping of habitual scandal; and the miserable intellect which could not emulate, resorted to the mean revenge of defamation. But it would ill become the man he honoured with his friendship, not to shield him from the heaviness of such an imputation. His speeches are full of the most sublime illustrations from the sacred writings, all expressed with a manifest sincerity, and evincing a far from common familiarity with the holy volume. Let, then, no polluted hand presume to add the name of Curran to the accursed list of infidelity. He is passed away to the tribunal alone competent either to interrogate or to adjudge him; and I have no doubt that I could have fully and perfectly attested his religious faith, if, during his life, I had had the temerity to inquire it. But it has always struck me that those are matters between man and his Creator, into which an inquisition is as impudent as it would be vain, and the assumption of which has been the origin of unutterable mischief. If Christians did not interfere with one another upon mysteries, perhaps the plain and indisputable essentials of Christianity might be more purely practised. But where each man, in place of attending to his own

salvation, employs his time in erecting some standard by which his neighbour's belief is to be adjudged, recrimination too often occupies the place of mutual forgiveness, and persecution follows the footsteps of religion, effacing them with blood. On this subject, Mr Curran had no idea of permitting human interference with regard to himself; and he would never have thought of exercising it with respect to others. Provided the doctrines of the Gospel were practised, he thought it a matter of very little consequence in what garb they were preached. Religion was divine—its forms were human. There is no doubt there were times when he was subject to the most extreme despondency; but the origin of this was visible enough, without having recourse to any mysterious inquiries. It was the case with him as it is with every person whose spirits are apt to be occasionally excited—the depression is at intervals in exact proportion. Like a bow overstrained, the mind relaxes in consequence of the exertion. He was naturally extremely sensitive—domestic misfortunes rendered his home unhappy—he flew for a kind of refuge into public life; and the political ruin of his country, leaving him without an object of private enjoyment or of patriotic hope, flung him upon his own heart-devouring reflections. He was at those times a striking instance of his own remark upon the disadvantages attendant upon too refined a sensibility. "Depend upon it, my dear friend," said he, "it is a serious misfortune in life to have a mind more sensitive or more cultivated than common—it naturally elevates its possessor into a region which he must be doomed to find *nearly uninhabited!*" It was a deplorable thing to see him, in the decline of life, when visited by this constitutional melancholy. I have not unfrequently accompanied him in his walks upon such occasions, almost at the hour of midnight. He had gar-

dens attached to the Priory, of which he was particularly fond; and into these gardens, when so affected, no matter at what hour, he used to ramble. It was then almost impossible to divert his mind from themes of sadness. The gloom of his own thoughts discoloured everything, and from calamity to calamity he would wander on, seeing in the future nothing for hope, and in the past nothing but disappointment. You could not recognise in him the same creature who, but an hour preceding, had "set the table in a roar"—his gibes, his merriment, his flashes of wit, were all extinguished. He had a favourite little daughter, who was a sort of musical prodigy. She had died at the age of twelve, and he had her buried in the midst of a small grove just adjoining this garden. A little rustic memorial was raised over her, and often and often have I seen him, the tears "chasing each other" down his cheeks, point to his daughter's monument, and "wish to be with her, and at rest." Such, at times, was the man before whose very look not merely gravity, but sadness has often vanished—who has given birth to more enjoyment, and uttered more wit, than perhaps any of his contemporaries in any country—who had in him materials for social happiness, such as we cannot hope again to see combined in any one; and whose death has cast, I fear, a permanent eclipse upon the festivities of his circle. Yet even these melancholy hours were not without their moral. They proved the nothingness of this world's gifts—the worse than inutility of this world's attainments; they forced the mind into involuntary reflection; they showed a fellow-creature enriched with the finest natural endowments, having acquired the most extensive reputation, without a pecuniary want or a professional rival, yet weighed down with a constitutional depression that left the poorest wealthy and the humblest happy in the com-

parison. Nor were they without a kind of mournful interest: he spoke as under such circumstances no human being but himself could have spoken—his mind was so very strangely constituted; such an odd medley of the romantic and the humorous; now soaring into regions of light and sublimity for illustrations, and now burrowing under ground for such ludicrous and whimsical examples; drawing the most strange inferences from causes so remote, and accompanied at times with gestures so comic, that the smile and the tear often irresistibly met during the recital. Perhaps, after one of those scenes of misery, when he had walked himself tired, and wept himself tearless, he would again return into the house, where the picture of some friend, or the contingency of some accident, recalling an early or festive association, would hurry him into the very extreme of cheerfulness! His spirits rose—his wit returned—the jest, and the tale, and the anecdote pushed each other aside in an almost endless variety, and day dawned upon him, the happiest, the pleasantest, and the most fascinating of companions. The friends whom he admitted to intimacy may perhaps recognise him, even in this hurried sketch, as he has often appeared to them in the hospitalities of the Priory; but, alas! the look all-eloquent—the eye of fire—the tongue of harmony—the exquisite address that gave a charm to everything, and spell-bound those who heard him, are gone for ever!

In order rather that as much as possible of him should be preserved than that they should be considered as ostentatiously put forward, I have collected the following fragments of his poetry. They were written, it is true, more for amusement than fame; but everything left by such a man, no matter what may be its merit, deserves care as a curiosity. During his lighter hours, he was fond of employing himself in this laborious trifling, not wishing, as he

said, like Judge Blackstone, to take leave of the Muses until he could be said to have formed some acquaintance with them. Such little efforts gave him the appearance of business and the relaxation of idleness; and when he could not bring his mind to any serious study, he was willing to do anything rather than it should be supposed he was doing nothing. There is no doubt, however, that if, from his early years, he had made poetry his profession—for such, from modern copyrights, it may almost be called—he would have risen to very considerable eminence. I think no person who peruses his speeches with attention will feel disposed to deny that he had the genuine elements of poetry in his mind—the fire, the energy, the wildness of imagination—the *os magna sonaturum*, and all the requisites which criticism requires in the character.

These specimens are selected from a great many; and no matter what may be their intrinsic merit, the composition of them had, no doubt, its use in matters of more importance. There are few studies which give the orator a greater copiousness, and, at the same time, a greater felicity of phrase, than poetry. To suit the rhyme or harmonise the metre, requires not merely genius, but industry; and the variety of words which must necessarily be rejected, gives at once a familiarity with the language, and a fastidiousness in the use of it. Thus, it is a truth, that many who have raised the greatest name in eloquence, commenced their career by the study of the Muses. Cicero himself did not disdain to be their votary, and, in more modern times, we find the names of Chatham, Fox, Lord Mansfield, and a number of other equally successful orators, courting their inspiration. In this point of view it is, rather than as soliciting for him the name of a poet, that I have committed the following frauds upon the album of some fair one, now, perhaps, like Waller's Sacharissa, grown too old for poetry.

THE PLATE-WARMER

In days of yore, when mighty Jove
With boundless sway ruled all above,
He sometimes chanced abroad to roam
For comforts often missed at home:
For Juno, though a loving wife,
Yet loved the din of household strife;
Like her own peacocks, proud and shrill,
She forced him oft against his will,
Henpecked and overmatched, to fly,
Leaving her empress of the sky,
And hoping on our earth to find
Some fair less vocal and more kind.
But soon the sire of men and gods
Grew weary of our low abodes;
Tired with his calendar of saints,
Their squalling loves, their dire complaints,—
For queens themselves, when queens are frail,
And forced for justest cause to rail,
To find themselves at last betrayed,
Will scold just like a lady's-maid;
And thus poor Jove again is driven,
O sad resource! again to heaven.
Downcast, and surfeited with freaks,
The cropsick Thund'rer upward sneaks,
More like a loser than a winner,
And almost like an earthly sinner:
Half quenched the lustre of his eyes,
And lank the curl that shakes the skies;
His doublet buttoned to his chin,
Hides the torn tucker folded in.
Scarce well resolved to go or stay,
He onward takes his ling'ring way,
For well he knows the bed of roses
On which great Juno's mate reposes.
At length to heaven's high portal come,
No smile, no squeeze, to welcome home,
With nose uptossed, and bitter sneer,
She scowls upon her patient dear:

From morn till noon, from noon till night,
'Twas still a lecture to the wight;
And yet the morning, sooth to say,
Was far the mildest of the day;
For in those regions of the sky,
The goddesses are rather shy
To beard the nipping early airs,
And, therefore, come not soon down stairs;
But, snugly wrapt, sit up and read,
Or take their chocolate in bed.
So Jove his breakfast took in quiet,
Looks there might be, but yet no riot.
And had good store of list'ners come,
It might have been no silent room;
But she, like our theatric wenches,
Loved not to play to empty benches.
Her brows close met in hostile form,
She heaves the symptoms of the storm;
But yet the storm itself, repressed,
Labours prelusive in her breast,
Reserved as music for that hour
When every male and female power
Should crowd the festive board around,
With nectar and ambrosia crowned,
In wreathèd smiles and garlands dressed,
With Jove to share the gen'rous feast.
'Twas then the snowy-elbowed queen
Drew forth the stores of rage and spleen;
'Twas then the gathered storm she sped,
Full-levelled at the Thund'rer's head.
In descant dire she chanted o'er
The tale so often told before—
His graceless gambols here on earth,
The secret meeting, secret birth;
His country freaks in dells and valleys,
In town, o'er Strands and Cranbourne Alleys;
Here lifts his burglar hands the latch,
There scrambles through the peasant's thatch:
When such a prowling fox gets loose,
What honest man can keep his goose?
Nor was the Theban feat untold,
Trinoctial feat so famed of old;

When Night the pandar vigil kept,
And Phœbus snored as if he'd slept.
And then Europa, hateful name!
A god, a bull! O fie for shame!
When vagrant love can cost so dear,
No wonder we've no nursery here;
No wonder, when imperial Jove
Can meanly hunt each paltry love,
Sometimes on land, sometimes on water,
With this man's wife and that man's daughter,
If I must wear a matron willow,
And lonely press a barren pillow.
When Leda, too, thought fit to wander,
She found her paramour a gander;
And did his godship mount the nest,
And take his turn to hatch and rest?
And did he purvey for their food,
And mince it for the odious brood?—
The eagle winked and drooped his wing,
Scarce to the dusky bolt could cling,
And looked as if he thought his lord
A captain with a wooden sword;
While Juno's bird displayed on high
The thousand eyes of jealousy.
Hermes looked arch, and Venus leered,
Minerva bridled, Momus sneered;
Poor Hebe trembled, simple lass,
And spilt the wine, and broke the glass.
Jove felt the weather rather rough,
And thought long since 't had blown enough.
His knife and fork unused, were crossed,
His temper and his dinner lost;
For ere the vesper peal was done,
The viands were as cold as stone.
This Venus saw, and grieved to see;
For though she thought Jove rather free,
Yet at his idle pranks she smiled,
As wanderings of a beast beguiled;
Nor wondered if astray he run,
For well she knew her scapegrace son;
And who can hope his way to find,
When blind, and guided by the blind?

Her finger to her brow she brought,
And gently touched the source of thought,
The unseen fountain of the brain,
Where Fancy breeds her shadowy train:
The vows that ever were to last,
But wither ere the lip they've passed;
The secret hope, the secret fear,
That heaves the sigh, or prompts the tear;
The ready turn, the quick disguise,
That cheats the lover's watchful eyes:
So from the rock the sorcerer's wand
The gushing waters can command;
So quickly started from the mind
The lucky thought she wished to find.
Her mantle round her then she threw,
Of twilight made, of modest hue:
The warp by mother Night was spun,
And shot athwart with beams of sun,
But beams first drawn through murky air,
To spunge the gloss and dim the glare;
Thus gifted with a double charm,
Like love, 'twas secret and 'twas warm;
It was the very same she wore
On Simois' banks, when, long before,
The sage Anchises formed the plan
Of that so grave and godlike man,
Whose fame o'ertopped the topmost star,
For arts of peace and deeds of war;
So famed for fighting and for praying,
For courting warm and cool betraying;
Who showed poor Dido all on fire,
That Cyprus was not far from Tyre;
The founder of Hesperian hopes,
Sire of her demi-gods and popes.
And now her car the Paphian queen
Ascends, her car of sea-bright green.
Her Graces slim, with golden locks,
Sat smiling on the dicky-box,
While Cupid wantons with a sparrow
That perched upon the urchin's arrow.
She gave the word, and through the sky
Her doves th' according pinions ply;

As bounding thought, as glancing light,
So swift they wing their giddy flight;
They pass the Wain, they pass the sun,
The comet's burning train they shun;
Lightly they skim the ocean vast,
And touch the Lemnian isle at last.
Here Venus checks their winged speed,
And sets them free to rest or feed,
She bids her Graces sport the while,
Or pick sweet posies round the isle,
But cautions them against mishaps,
For Lemnos is the isle of traps;
Beware the lure of vulgar toys,
And fly from bulls and shepherd boys.
A cloud of smoke that climbs the sky,
Bespeaks the forge of Vulcan nigh:
Thither her way the goddess bends,
Her darling son her steps attends,
Led by the sigh that zephyr breathes,
That round her roseate neck he wreathes.
The plastic god of fire is found,
His various labours scattered round;
Unfinished bars, and bolts, and portals,
Cages for gods, and chains for mortals:
'Twas iron-work upon commission,
For a romance's first edition.
Soon as the beauteous queen he spied,
A sting of love, a sting of pride,
A pang of shame, of faith betrayed,
By turns his labouring breast invade;
But Venus quelled them with a smile
That might a wiser god beguile:
'Twas mixed with shame, 'twas mixed with love,
To mix it with a blush she strove.
With hobbling steps he comes to greet
The faithless guest with welcome meet:
Pyracmon saw the vanquished god,
And gives to Steropes the nod;
He winks to Brontes, as to say,
We may be just as well away,
They've got some iron in the fire:
So all three modestly retire.

"And now, sweet Venus, tell," he cries,
"What cause has brought thee from the skies?
Why leave the seat of mighty Jove?
Alas! I fear it was not love.
What claim to love could Vulcan boast,
An outcast on an exile coast,
Condemned in this sequestered isle
To sink beneath unseemly toil?
'Tis not for me to lead the war,
Or guide the day's refulgent car;
'Tis not for me the dance to twine;
'Tis not for me to court the Nine;
No vision whispers to my dream;
No muse inspires my wakeful theme;
No string, responsive to my art,
Gives the sweet note that thrills the heart;
The present is with gloom o'ercast,
And sadness feeds upon the past.
Say then; for, ah! it can't be love,
What cause has brought thee from above?"
So spoke the god in jealous mood;
The wily goddess thus pursued:
"And canst thou, Vulcan, thus decline
The meeds of praise so justly thine?
To whom, the fav'rite son of heaven,
The mystic powers of fire are given:
That fire that feeds the star of night,
And fills the solar beam with light;
That bids the stream of life to glow
Through air, o'er earth, and depths below.
Thou deignest not to court the Nine,
Nor yet the mazy dance to twine;
But these light gifts of verse and song
To humbler natures must belong.
Behold yon oak that seems to reign
The monarch of the subject plain;
No flowers beneath his arms are found
To bloom and fling their fragrance round;
Abashed in his o'erwhelming shade,
Their scents must die, their leaves must fade.
Thou dost not love through wastes of war
Headlong to drive the ensanguined car,

That sweeps whole millions to the grave ;
Thine is the nobler art to save :
Formed by thy hand, the tempered shield
Safe brings the warrior from the field ;
Ah ! couldst thou but thy mother see,
Her every thought attached to thee !
Not the light love that lives a day,
Which its own sighs can blow away,
But fixed and fervent in her breast,
The wish to make the blesser blest.
Then give thy splendid lot its due,
And view thyself as others view.
Great sure thou art, when from above
I come a supplicant from Jove :
For Jove himself laments, like thee,
To find no fate from suffering free :
Dire is the strife when Juno rails,
And fierce the din his ear assails ;
In vain the festive board is crowned.
No joys at that sad board are found ;
And when the storm is spent at last,
The dinner's cold, and Jove must fast.
Couldst thou not then with skill divine,
For every cunning art is thine,
Contrive some spring, some potent chain,
That might an angry tongue restrain,
Or find, at least, some mystic charm,
To keep the sufferer's viands warm ?
Should great success thy toils befriend,
What glory must the deed attend ;
What joy through all the realms above,
What high rewards from grateful Jove !
How blessed ! could I behold thee rise
To thy lost station in the skies ;
How sweet ! should vows thou mayest have thought
Or lightly kept or soon forgot,
Which wayward fates had seemed to sever,
Those knots retie, and bind for ever !"
She said, and sighed, or seemed to sigh,
And downward cast her conscious eye,
To leave the god more free to gaze ;—
Who can withstand the voice of praise ?

By beauty charmed, by flattery won,
Each doubt, each jealous fear is gone;
No more was bowed his anxious head,
His heart was cheered, he smiled, and said:
"And couldst thou vainly hope to find
A power that female tongue can bind?
Sweet friend! 'twere easier far to drain
The waters from the unruly main,
Or quench the stars, or bid the sun
No more his destined courses run.
By laws as old as earth or ocean,
That tongue is a perpetual motion,
Which marks the longitude of speech:
To curb its force no power can reach;
Its privilege is raised above
The sceptre of imperial Jove.
Thine other wish, some mystic charm
To keep the sufferer's viands warm,
I know no interdict of fate
Which says that art mayn't warm a plate.
The model, too, I've got for that,
I take it from thy gipsy hat;
I saw thee thinking o'er the past,
I saw thine eye-beam upward cast,
I saw the concave catch the ray,
And turn its course another way;
Reflected back upon thy cheek,
It glowed upon the dimple *sleek*."
The willing task was soon begun,
And soon the grateful labour done;
The ore, obedient to his hand,
Assumes a shape to his command;
The tripod base stands firm below,
The burnished sides ascending grow;
Divisions apt the interior bound,
With vaulted roof the top is crowned.
The artist, amorous and vain,
Delights the structure to explain;
To show how rays converging meet,
And light is gathered into heat.
Within its verge he flings a rose,
Behold how fresh and fair it glows;

O'erpowered by heat, now see it waste,
Like vanished love its fragrance past;
Pleased with the gift, the Paphian queen
Remounts her car of sea-bright green;
The gloomy god desponding sighs,
To see her car ascend the skies,
And strains its less'ning form to trace,
Till sight is lost in misty space.
Then sullen yields his clouded brain
To converse with habitual pain.
The goddess now arrived above,
Displays the shining gift of love,
And shows fair Hebe how to lay
The plates of gold in order gay.
The gods and goddesses admire
The labour of the god of fire,
And give it a high-sounding name,
Such as might hand it down to fame,
If 'twere to us, weak mortals, given
To know the names of things in heaven;
But on our sublunary earth
We have no words of noble birth,
And e'en our bards, in loftiest lays,
Must use the populace of phrase.
However called it may have been,
For many a circling year 'twas seen
To glitter at each rich repast,
As long as heaven was doomed to last.
But faithless lord—and angry wife—
Repeated faults—rekindled strife—
Abandoned all domestic cares,
To ruin sunk their own affairs.
Th' immortals quit the troubled sky,
And down for rest and shelter fly.
Some seek the plains, and some the woods,
And some the brink of foaming floods.
Venus, from grief, religious grown,
Endows a meeting-house in town;
And Hermes fills the shop next door
With drugs far brought, a healthful store;
What fate the Graces fair befell,
The muse has learned, but will not tell.

To try and make affliction sweeter,
Momus descends and lives with Peter;
Though scarcely seen th' external ray,
With Peter all within is day—
For there the lamp, by nature given,
Was fed by sacred oil from heaven.
Condemned a learned rod to rule,
Minerva keeps a Sunday school.
With happier lot, the god of day
To Brighton wings his minstrel way.
There come, a master touch he flings,
With flying hand across the strings;
Sweet flow the accents, soft and clear,
And strike upon a kindred ear;
Admitted soon a welcome guest,
The god partakes the royal feast,
Pleased to escape the vulgar throng,
And find a judge of sense and song.
Meantime, from Jove's high tenement,
To auction everything is sent,
O grief! to auction here below.
The gazing crowd admire the show.
Celestial beds, imperial screens,
Busts, pictures, lustres, bright tureens,
With kindling zeal the bidders vie,
The dupe is spurred by puffer sly,
And many a splendid prize knocked down,
Is sent to many a part of town.
But all that's most divinely great
Is borne to ——'s, in —— Street.
Th' enraptured owner loves to trace
Each prototype of heavenly grace—
In ev'ry utensil can find
Expression, gesture, action, mind.
Now burns with gen'rous zeal to teach
That lore which he alone can reach;
And gets, lest pigmy words might flag,
A glossary from Brobdignag;
To teach in prose, or chant in rhyme,
Of furniture the true sublime,
And teach the ravished world the rules
For casting pans and building schools.

Poor Vulcan's gift, among the rest,
Is sold, and decks a mortal's feast,
Bought by a goodly Alderman,
Who loved his plate, and loved his can ;
And when the feast his worship slew,
His lady sold it to a Jew.
From him, by various chances cast,
Long time from hand to hand it past :—
To tell them all would but prolong
The ling'ring of a tiresome song ;
Yet still it look'd as good as new,
The wearing prov'd the fabric true ;
Now mine, perhaps, by Fate's decree,
Dear Lady R——, I send it thee ;
And when the giver's days are told,
And when his ashes shall be cold,
May it retain its pristine charm,
And keep with thee his mem'ry warm !

TO SLEEP.

O Sleep, awhile thy power suspending,
Weigh not yet my eyelid down,
For Mem'ry, see ! with Eve attending,
Claims a moment for her own :
I know her by her robe of mourning,
I know her by her faded light,
When faithful with the gloom returning,
She comes to bid a sad good-night.
O ! let me hear with bosom swelling,
While she sighs o'er time that's past ;
O ! let me weep, while she is telling
Of joys that pine, and pangs that last.
And now, O Sleep, while grief is streaming,
Let thy balm sweet peace restore ;
While fearful hope through tears is beaming,
Soothe to rest that wakes no more.

THE GREEN SPOT THAT BLOOMS ON THE DESERT OF LIFE.

O'ER the desert of life where you vainly pursued
Those phantoms of hope which their promise disown,
Have you e'er met some spirit divinely endued,
That so kindly could say, You don't suffer alone?
And however your fate may have smiled or have frowned,
Will she deign still to share as the friend and the wife?
Then make her the pulse of your heart, for you've found
The green spot that blooms o'er the desert of life.

Does she love to recall the past moments so dear,
When the sweet pledge of faith was confidingly given,
When the lip spoke in voice of affection sincere,
And the vow was exchanged and recorded in heaven?
Does she wish to rebind what already was bound,
And draw closer the claim of the friend and the wife?
Then make, &c.

THE MERIDIAN IS PASSED.

THE Meridian is passed, and the comfortless west
Now calls the dull evening of life to repose;
Say, then, thou worn heart, why not yield thee to rest?
Or, why court the return of thy joys or thy woes?

If thy noon-tide affection so coldly was paid,
With whate'er it possessed, or of warmth, or of light,
Say, what can'st thou hope when thou sink'st to the shade;
But in vain to lament by the cold star of night?

Or, perhaps thou but wishest those hours to review,
Which so deeply thy pains and thy pleasures could move;
When Hope, flattering Hope, to thy passion untrue,
Called the soft voice of friendship the sweet note of love.

Oh! then let fond mem'ry recall every scene,
Every word, look, or gesture, that touched thee the most;

Let her tears, where 'tis faded, refresh the faint green,
And though joy may escape, let no suffering be lost.

Let each precious remembrance be cherished with care,
Let thy inmost recess be their consecrate shrine,
Let the form, too, of her so adored be found there,
Such as friendship may wonder how love could design.

And when oft the lone mourner her image reviews,
Let her eye scorn to fill, or her bosom to heave;
And if infidel love to believe shall refuse,
Be thou once more a dupe, and let fancy deceive.

Before, however, Mr Curran passes away from the scene of his professional triumphs, it may not be uninteresting to cast a glance at some of the associates from whom he separated.* It was a generation without parallel, perhaps, in legal annals, and furnished characters so peculiar, and details so whimsical, that our more disciplined posterity may well doubt the record—to the truth of which, however, there are still many witnesses. I shall pourtray few scenes of which I was not a spectator, and no persons with whom I was not myself familiar. Of the more prominent actors on that stage, Lord Plunket alone remains—and remains, I rejoice to hear, with his fine intellect shedding its "glow serene" upon the evening of his eighty-eighth year. The bar of Ireland now is, I am told, no more like that learned body in the times of which I speak, than are the squires of the present day like those of Castle Rackrent. The fire and the fun of the squirearchy are gone. The morning of whisky, the noon of duelling, and the nights of claret, have all passed away, and days of vulgar reckoning have succeeded—days, a dream of which never disturbed

* In this sketch the reader will pardon one or two anachronisms. These chiefly occur in the notices of Lord Plunket and Chief-Justice Bushe, and seemed necessary in order that their subsequent splendid career should not be omitted.

the Milesian imagination—days, forsooth, when an Encumbered Estates Bill tells landlords that they must pay, and tenants that they may live! The then bar partook, as might have been expected, very much of the character of the gentry. Enjoyment of the present, and defiance of the future, constituted its characteristics. Law was scarce, and, to say the truth, its acquisition somewhat dangerous, when to demur to a declaration amounted to a personal offence. Of course, there were exceptions, and both sound and shining ones; but we speak of the rule. Zeal supplied the want of learning; each man became the champion of his brief, and "wager of battle" was the plea most recognised. The reports in vogue were those of the pistol. A duel was an indispensable diploma, quite essential to success at the bar, and sometimes leading even to the bench. Barrington declares that, during what he quaintly calls his "climacteric," no less than 227 single combats came under his notice—a list, be it observed, to which he amply contributed. This may well affright the credulity of our more peaceful day; but to silence scepticism, I beg to refer the reader to a few of the recorded cases in which the after-attained rank of the belligerents challenges our especial wonder.

Lord Clare, afterwards Lord Chancellor, fought Curran, afterwards Master of the Rolls! So much for equity; but common law also sustained its reputation.

Clonmell, afterwards Chief-Justice, fought two lords and two commoners—to show his impartiality, no doubt.

Medge, afterwards Baron, fought his own brother-in-law and two others.

Toler, afterwards Chief-Justice of the Common Pleas, fought three persons, one of whom was Fitzgerald—even in Ireland, the "fire-eater" *par excellence.*

Patterson, also afterwards Chief-Justice of the same

Court, fought three country gentlemen, one of them with guns, another with swords, and wounded them all!

Corry, Chancellor of the Exchequer, fought Mr Grattan.

The Provost of Dublin University, a Privy-counsellor, fought Mr Doyle, a Master in Chancery, and several others.

His brother, Collector of the Customs, fought Lord Mountmorris.

Harry Deane Grady, Counsel to the Revenue, fought several duels; and "all hits," adds Barrington, with unction.

Curran fought four persons, one of whom was Egan, Chairman of Kilmainham, afterwards his friend in the duel with Lord Buckinghamshire. A duel in these days was often the prelude to intimacy.

What a picture does the above list (a meagre selection) present of the then state of society! Now, a barrister would be almost disqualified for the bench, by what, in those days, almost operated as a recommendation to it! The consequences were obvious. I remember well, at the Sligo summer assizes for 1812, being counsel in the case of the King *v.* Fenton, for the murder of Major Hillas in a duel, when old Judge Fletcher thus capped his summing up to the jury:—"Gentlemen, it's my business to lay down the law to you, and I will. The law says, the killing a man in a duel is murder, and I am bound to tell you it is murder; therefore, in the discharge of my duty, I tell you so; but I tell you at the same time, *a fairer duel* than this I never heard of in the whole *coorse* of my life!!" It is scarcely necessary to add that there was an immediate acquittal. For the elevation of Toler to the Chiefship of the Common Pleas, it would be difficult to assign any other cause than his bellicose propensities, and the service they occasionally did the Government.

As a specimen of his proficiency in this line, I select his onslaught on Mr George Ponsonby in the Irish House of Commons. Mr Ponsonby was afterwards Lord Chancellor of Ireland, and subsequently leader of the Whig Opposition in the Imperial Parliament.

"What! was it come to that in the Irish House of Commons, that they should listen to one of their own members degrading the character of an Irish gentleman, by language that was fit but for hallooing a mob? Had he heard a man out of doors using such language as that by which the honourable gentleman had violated the decorum of Parliament, *he would have seized the ruffian by the throat, and dragged him to the dust.* What was the House made of which could listen with patience to such abominable sentiments?—sentiments, thank God, which were acknowledged by no set of men in this country, *except that infamous and execrable nest of traitors who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honourable gentleman had used.*" Mr Ponsonby, much to his credit be it spoken, did not accept this provocation. Even if he had, however, it would not, as we have seen, have impeded his promotion to the Irish woolsack. Instances enough have been already given to prove that the reputation of a duellist was considered no impediment to promotion even to the Bench. In Toler's case it seems to have been a principal recommendation. It was a favourite boast of his that he "began the world with fifty pounds and a pair of hair-trigger pistols." They served his purpose well. A quarrel with Napper Tandy, one of those ephemeral demagogues in which Ireland is so prolific, was the immediate ladder by which he ascended the bench. To such compensation

for such service, Lord Clare, the then chancellor, was vehemently and naturally opposed. "Make him a Chief-Justice!" he exclaimed; "oh, no; if he must mount the bench, make him a bishop or an archbishop, or—anything but a Chief-Justice!" The luck, however, of the hair-triggers triumphed, and Toler not only became Chief-Justice, but the founder of two peerages, and the testator of an enormous fortune. After his promotion, the code of honour became, as it were, engrafted on that of the Common Pleas; the noble chief not unfrequently announcing that he considered himself a judge only while he wore his robes! Despite of many drawbacks, Norbury was, nevertheless, a very extraordinary man. If he was deficient in learning, he abounded in common sense; if divested of genius, he was given, as its substitute, a thorough knowledge of the world, and consequently as thorough a contempt for it. His very appearance set dignity at defiance, and put gravity to flight. The chivalry of Quixote was encased in the paunch of Sancho Panza. Short and pursy, with a jovial visage, and little, grey, twinkling, laughing eyes, he had a singular habit of inflating his cheeks at the end of every sentence, and, with a spice of satire, was called *Puffendorf* in consequence. The conventional decorum of the judgment-seat was banished often enough by some such expression as "Come, Mr Everard, *mur* your demurrer;" and the court but too often adopted the manner of its chief. There was something infectious in his hearty Falstaff chuckle, and in the joyousness that revelled over his countenance. In truth, a stranger traversing the hall of the Four Courts might at any time distinguish that of the Common Pleas by the bursts of merriment which issued through its portals. Of that place, during the sittings at Nisi Prius, especially in summer, it is difficult even to shadow forth a description. As a matter

of course, it was always crowded to the very ceiling, with an atmosphere almost tropical. In this, above all things, Norbury delighted. There he sat in all his glory, good humour personified, puffing and punning and panting, till his ruddy countenance glowed like a full moon. At last, grilled beyond all endurance by the atmosphere, off went the gown and round went the wig, till, its tails, reversed, dangled from his forehead.

He was himself of his court the principal curiosity, but he had his competitors. Amongst those might be daily seen a personage who fancied that Toler had usurped his place, and that *he* was in reality the Chief-Justice. Long and good-naturedly were his pretensions tolerated, till at last, emboldened by forbearance, he threatened to depose the impostor from the bench. Then, and not till then, might be heard the tardy mandate, "Jackson, turn Lord Norbury out of court." A nonsuit was never heard of in his time. Ill-natured people said it was to draw suitors to the court; Toler's reason was, he was too *constitutional* to interfere with a jury! Be this as it may, a nonsuit was a nonentity. "I hope, my Lord," said counsel, in a case actually commanding one, "your Lordship will for once have the courage to nonsuit." In a moment the hair-triggers were uppermost. "Courage! I tell you what, Mr Wallace, there are two kinds of courage—courage to shoot, and courage to nonshoot, and I hope I have both; but nonshoot now I certainly will not;" and argument was only a waste of time.

Norbury hated a bill of exceptions almost as much as he did a nonsuit, and for the same reason. Never shall I forget a scene on this subject between him and Mr O'Connell. They detested each other. Daniel, to Norbury's great dissatisfaction, tendered his bill of exceptions to the Judge for his signature, which, if he refused, subjected him to a penalty of, I think, £500. "You're surely not in earnest,

Mr O'Connell?" "I never was more in earnest in my life," said Daniel, bowing both lowly and leeringly; "I hope I know my duty to the Court." "No man knows it better, or performs it better; Jackson, call the next—" "May I, my Lord, without offence, request your signature to the bill of exceptions?" "Offence! offence, Mr O'Connell! you never offended me in your life—nor anybody else, I do believe; you're too good-natured and good-humoured a man, and *you look it.*" "Oh, my Lord, let me at least implore of you to spare your compliments." "Truth—truth, Mr O'Connell—and you know truth's no compliment." "Once more, my Lord, I very deferentially ask your signature, or—*your refusal.* All I want is a categorical answer." "No doubt, no doubt, you'd be satisfied with a refusal. But I don't refuse you—indeed, I don't think I could refuse you anything—so mind, I don't refuse, but I do nothing in a hurry; come to me in my chamber when the Court rises—your time's valuable, and so it ought—your talents make it so." "My Lord, my Lord, you at least may spare me the infliction of your panegyric." Daniel departed, the victim of the moment's cajolery, but Norbury in private gave the autograph, and saved at once the publicity and the penalty. In all this there was a drollery not to be resisted, which accompanied and almost counteracted an occasional bitterness. There was a gentleman of high rank once tried before him for arson. He was acquitted: not, however, by the verdict of the mob, who called the ruins of his house—Moscow! The first place in which he and Norbury encountered each other after the trial was at a Castle levee. "How do you, my Lord?" began the honourable, for such he was. "How do—how do—glad to meet you *here.*" "Paying my last bachelor's visit, my Lord. I'm about to turn Benedict." "Well, Mr C—, Saint Paul says, you know,

better marry than *burn.*" Norbury was all things to all men, and equally sincere to all; that is, meaning nothing to any. Amongst his other virtues, in the most hospitable of countries, he was the most hospitable of men—so far as *invitations went.* He invited every one to his country-house; and such was his cordiality, that a novice could never doubt that the obligation conferred by the visit would be in proportion to its length. The invitations were always to the country-seat, the town residence being inconveniently near. There was a ludicrous story rife in those days of a downright old couple who were simple enough to believe that the "When will you spend a week with me at Cabra?"* really meant what it expressed. Packing up, therefore, the requisites for a week, they innocently presented themselves at "the country house." The truly hospitable inviter, but most unintentional host, received them with his usual self-possession. His presence of mind quailed not at the lady's maid and the band-boxes, and the heavy imperial, and sundry other indications of a protracted sojourn. Far from it; he sprang forward, as it were, radiant with delight: "My kind friends—my dear old friends—this is so very like you—now, no excuses—not a word, not a word—I must positively insist on—your *staying to dinner.*" When subsequently a gang of burglars visited the country-house, the jest went that it was by "a general invitation."

It was a singular characteristic of this very singular man, that, with good humour ever in his looks, and merriment, also, ever on his lips, he was, by nature, fierce, obdurate, and callous. Utterly reckless of life himself, he seemed scarcely to comprehend how others could value it. Selfish he was, and intensely so, but his selfishness extended solely to his pecuniary interests: it included neither his

* His country residence.

personal safety nor his personal sufferings; and hence, either not feeling or defying pain, he was a stranger to sympathy. Social and severe, playful and unpitying, commanding the smile and heeding not the sigh, let philosophy solve this human paradox if it can. It is in no unfriendly spirit, and with a pencil used even reluctantly, that I add the shadows to this portrait. Willingly indeed would I have dispensed with them, had fidelity permitted it. Norbury's good temper was imperturbable. It was, therefore, a most difficult matter to incense him; but the danger of the achievement was proportionably formidable. Few cared to meddle with a man who valued not his life at a pin's fee. His personal interests were his tender point. An intended interference with these occasioned an incident towards the close of his life, in which his shrewdness and his determination were humorously exhibited. A report having circulated that his faculties were decaying, the then Lord-Lieutenant decided on giving him a hint to resign, through the well-known under-secretary, Mr Gregory. No sooner had Norbury got scent of this than his campaign was sketched. He sent for Gregory, led him to his library, and, as he turned the key, assumed that fiery scowl which Gregory knew well meant imminent mischief. "Gregory, you are my oldest friend, and I have had no scruple in sending for you. It seems I am about to be grossly and publicly insulted—I who never brooked even a saucy look! Will you believe it, Gregory, our mock-monarch of the Phœnix Park means to demand my resignation!! Of course the puppet poltroon himself is irresponsible. But, my mind's made up. The Castle hack he sends shall be his proxy. I'll have his life or he shall have mine —ay, though he were my brother. Gregory, my old, my valued friend, will you stand by me? The hair-triggers are ready, as in the days of Tandy and Fitzgerald." On the

noon of that day, a solemn under-secretary might be seen slowly wending his way up the back stairs, revolving the alternative of death or disobedience. But the blow, however adroitly parried, came at last, not, however, through the forewarned Gregory, but by letter. Norbury asked but a postponement to consult a friend. It was granted, of course: the friend was in India! and—a year was gained. At length, however, having fallen asleep during a trial for murder, a petition to Parliament, through Mr O'Connell, enforced the resignation. His last act was characteristic. He had for his neighbour an old nobleman, who had been bed-ridden for years. Hearing from his physician that, without any immediate danger, his doom must be the same, he instantly called his servant: "James, go next door, and tell Lord Erne, with my compliments, that it has now become a *dead heat* between us." In all his leisure hours, Norbury was on horseback.

One of his brethren in the Common Pleas, to whom allusion has before been made, deserves a passing notice. Mr Justice Fletcher was, in his own way, almost as quaint an original as his chief;—a sound lawyer, for the time in which he lived, and, what was not a superfluity in that time, a very humane judge. But a rugged surface disguised a kindly nature: uncouth in manner, and independent in principle, he neither studied what he said, nor cared whom he encountered. The ultra-liberalism of a charge which he delivered to the Wexford grand-jury, threw all Ireland into a flame, and wellnigh invoked on him the vengeance of the Government. True to his nature, by way of smoothing matters, Fletcher revised, strengthened, and published it as a pamphlet. It is curious to observe, how perfectly innocuous the discussion of the topics contained in that celebrated charge would appear in our day. Yet, at the time, it was considered little short of treason.

Its sum and substance is a classification of the evils of Ireland under the following heads:—"An enormous paper currency, a meddling and incapable magistracy, absentee landlords, Orange societies, illicit distillation, and tithes." Without discussing the soundness of these opinions, which is quite apart from the purport of this work, there can be no doubt that the bench of justice was not the fitting place for their enunciation. But remonstrance with such a man only produced exasperation, and any attempt at persuasion was as promising as the endeavour to smooth down a porcupine. About five o'clock every day, Fletcher became so ravenously hungry, that the peasantry agreed he had a wolf in his stomach. On one occasion, just on the advent of the ominous hour, a circuit counsel of the name of French commenced a pompous cross-examination. Sundry and wryful were the contortions of Fletcher, and dogged in proportion became the pertinacity of French. At length the hour of six sounded audibly. Flesh and blood—at all events, flesh and blood like Fletcher's—could stand it no longer, and the outburst came. "Lord of heaven, Mr French, do you mean to keep me here all night, like a bear tied to a stake?" "O no, my Lord," answered French, bowing reverentially, "not *tied to a stake*." In allusion to this failing, Bushe used humorously to describe him, when pacified by substantials, "playing on an eel," the process being, his taking the head in one hand, and the tail in the other, and then, Pandean fashion, running the body through his teeth! No two men could possibly be more dissimilar than these ermined brethren. Fletcher, humane, learned, and intemperate; Norbury, shallow, severe, and imperturbable. The one all rude sincerity, meaning what he said; the other, all surface smoothness, meaning nothing at all. They felt towards each other very much alike, but gave to those feelings a different expression. Fletcher's

contempt was as clownish as Norbury's was decorous—both were sincere.

The Court of Common Pleas at *Nisi Prius* was one of the sights of Dublin, and once seen, was never to be forgotten. Every avenue was crowded long before it opened. When it did open, what a spectacle was there! Aloft sat Norbury, with the glow of Bacchus and the cheeks of Eolus; immediately below, the *fidus Achates*, his registrar, Jackson; and, right opposite, the established and recognised gladiators of the arena, Tom Goold and Harry Grady. They are worth the sketching. They were racy originals, and, like Norbury and Fletcher, human antipodes. Goold was a little man, well formed, and of considerable accomplishments. Sensitive and fastidious, he acknowledged but one earthly model of perfection, which, however, he viewed with Eastern idolatry, and that was—himself. With the versatility of a Crichton, and the politeness of a Chesterfield, all airs and graces, master of everything and neglecting nothing, he was "himself alone," unapproachable and inimitable, *judice* Tom. He not only argued, declaimed, and philosophised better than any one else, but he sang, he danced, he rode, he even brushed his hat, so as to set rivalry at defiance. Guileless and harmless vanity! counterpoised by a thousand sterling qualities. He was an excellent *Nisi Prius* fencer, and even rose at times to a high order of eloquence. A pamphlet, published by him in early life, in answer to Burke's celebrated *Reflections*, attracted the notice of that great man, and procured for him the distinction of an invitation to Beaconsfield. Had Goold been contented with the world's estimate of him as he really was, all would have admitted him to be an eminent man. But he sharpened censure, and excited ridicule, by aspiring to be what no man ever was—in every art, trade, science, profession, accomplishment, and pursuit

under the sun, a *ne plus ultra.* The pitch to which he carried this foible was incredible. Expatiating one day on the risk he ran from a sudden rise of the tide when riding on the North Strand, near Dublin, he assured his hearer, "had he not been *the very best horseman in existence,* he must inevitably have been drowned: in short, never was human being in such danger." "My dear Tom," his friend replied, "there was one undoubtedly in still greater, for a poor man was actually drowned there on that morning." "By heaven! sir," bellowed Goold, "I might have been drowned *if I chose.*"

Such was the man upon whose harmless peculiarities Harry Grady delighted to practise, and Munden's Nipperkin displayed not broader farce. Grady was like Goold, short in stature, but, unlike him, of very clumsy form. To a rich fund of genuine Irish fun and constitutional vivacity, he mischievously added a vulgarity not his own, for the sole purpose of shocking his refined antagonist. Goold manifestly looked on him as a male Moll Flagon, and instinctively recoiled from the humiliation of a contact which his tormentor courted. His face frowned horror, his fastidiousness was in fits, and, as he affected alternately to despise and disdain what he could not avoid enduring, his agitated dignity became exquisitely ludicrous. All would not do. The ground and lofty tumbling was irresistible. Grady rolled and revelled in drollery. The broad coarse jest, and the eternal chuckle, now disgusted and now distracted Goold. But, poor man, what was he to do? If he tried a bland remonstrance, Grady met it with a shrug or a grin, and coolly assured him "his relief was *in equity.*" If he appealed to the bar, he plainly saw the titter was but suppressed; if he turned to the gallery, less polite, its roar was audible and universal; still, he had the bench—the solemn bench—to look to, and there sat

Norbury, rolling to and fro, his face radiant with undisguised delight. It was on such occasions that the late excellent Dr Shepherd of Gateacre used to excuse himself for frequenting the Common Pleas, on the ground that "his profession excluded him from the theatre, and—he was very fond of farce." Goold possessed powers of eloquence to which Grady knew he could not aspire, and his sound common sense forbade the ambition. But he was not wanting in a counterpoise. Upon features capable of the most comic expression, he performed a running accompaniment to the other's sublimities. When Goold was careering in the clouds, Grady was cutting capers on the earth, to which gravity was a stranger. Often enough, when Tom soared highest, was he horror-stricken at the roar with which the pantomime, of which he was unconscious, checked his flight. One of Grady's most efficient weapons was his *right eye*. By mere dint of winking, it seemed smaller than the left one. One day, in Court, his mirth seemed quite extinguished. A friend remarked it. "My dear fellow," was the answer, "I'm ruined outright —*my jury eye's out of order*." He could say bitter things too, and with an air of pleasantry, but the honey was not always an antidote to the sting. Allusion has been reluctantly made to Tolcr's taste for a capital conviction. Chafed during a trial, he took his revenge by thus alluding to it: "The incident reminds me, my Lord, of a judge I once heard of who was never known to weep but once, and that was in a theatre." "Deep tragedy, I suppose, Mr Grady." "No indeed, my Lord; it was at the Beggars' Opera, when *Macheath was reprieved!*" I cannot vouch for the veracity of the incident, but I can Grady's narration of it, for I was his junior in the case. True or false, however, it was voted fact by acclamation, and ever after became of Norbury's life the least apocryphal particular.

Everybody said it was so natural, that it must be true. Goold died a Master in Chancery, and Grady also enjoyed to the last, official prosperity. So much for the Common Pleas, *tempore* Norbury.

But we have lingered there so long, we have scarcely time for a stroll through the Four Courts. Yet it is worth the trouble. The hall of this building is a spacious circle, surmounted by a beautiful dome, beneath which were then daily collected all the bar bustlers and all the idlers of Dublin, a numerous congregation. Let us suppose ourselves there in the year 1805, and commence our introductions. And stop!—Mark well that slight short figure, with restless gait, and swaying motion, and speaking gesture—he with the uplifted face, protruded under-lip, and eyes like living diamonds. See how the young men cluster round him. Observe the spell-bound gaze—hark to the ringing laughter. That is Curran—the unique, the wondrous, the inimitable Curran—who spake as poets in their inspiration wrote, and squandered wit with Rabelais profusion. Curran, whose words, merry or mournful as his country's music, commanded tears or laughter * at his bidding. Curran, in evil days, erect amidst the grovelling, pure amidst the tainted; in public life, the most

* I never met a person who possessed this wonderful faculty before. Lord Brougham one day, in my presence, asked the late Dr Birkbeck, who knew Curran, whether my estimate of him was not exaggerated? "All I can say," was the answer, "is, that for the five weeks he and I lodged together in Paris during the peace of Amiens, there were not five consecutive minutes within which he could not make me *both laugh and cry!*" Ten years later, Lord Byron says of him, "I have met CURRAN at Holland House. He beats everybody. His imagination is beyond human, and his humour (it is difficult to define what is wit) perfect. He has fifty faces, and twice as many voices, when he mimics. *I never met his equal.*" Again—"Curran! Curran's the man who struck me most. Such imagination! There never was anything like it. He was wonderful even to me who had seen many remarkable men of the time." "The riches of his Irish imagination were exhaustless. *I have heard that man speak more poetry than I have ever seen written, though I saw him seldom, and but occasionally.*"—MOORE'S *Life of Byron.*

consistent of patriots; in private, the most social, exquisite, enchanting of companions.

Pass we away from him. Times never to return or be forgotten—hours to which his genius gave the wings of angels, as bright and swift, and, sad to say, as transient in their flight, rise up before me, and forbid aught else to mingle with their memory. And lo! singularly enough, here comes MacNally—Leonard MacNally—Curran's junior in most of the state trials consequent on the rebellion of 1798. When the cessation of martial law opened once more the gate of the Four Courts, MacNally appeared prominently on the scene, His very appearance fixed attention. Not naturally deformed, he seemed so. He had had the misfortune, at one time or other, to have had every bone in his body broken; and lost, I believe, both, but certainly one of, his thumbs, but how, he either would not or could not tell: the latter probably, as he always accounted for it—but never was there an air richer in *variations.* Poor Burke Bethell, who was an admirable mimic, invented an amusing scene, founded on the thumbs. He personified the leaders of the bar in turn, each, after some casual conversation, interrogating the victim as to the manner of the loss. MacNally never failed to tell, but told to every one a different story; till, his patience fairly exhausted, he squeaked out, "I'm tired telling it—I don't know how I lost them." Both his legs and his arms totally differing from each other, he limped like a witch. His eye and voice pierced you through like arrows, and served him well in cross-examination. Had MacNally devoted to himself to literature, he would very probably have been distinguished. His opera of Robin Hood, once very popular, still keeps the stage. His faculty of invention has already been alluded to, and this production occasioned its very frequent exercise. It was a common practice

with the juniors to play upon his vanity, by inducing him to enumerate the vast sums he made by it. The wicked process was thus. They first got him to fix the aggregate amount; and then, luring him into details, he invariably, by third nights and copyright, quintupled the original. This was a good pendant to the story of the thumbs. But it was all the consequence of his imagination being stronger than his memory. Woe to the wight, however, luckless enough to have been detected in this waggery. He was ready with his pistol. His distress at one time was truly pitiable, at not being able to induce anybody to fight him. Being, it seems, under some cloud, Harry Grady, who wounded everybody with whom he fought, refused that favour to MacNally. Everybody followed this inhuman example. The poor man could get nobody to shoot him, and was the picture of misery. In vain he fumed, and fretted, and affronted; all seemed determined on being "guiltless of his blood." Never was Irish gentleman so unfortunate. At length Sir Jonah Barrington, out of Christian charity, accepted his cartel, and shot him into fashion. MacNally was a man again. He was more fortunate in dramatic than in legal literature. As his chief practice at the bar, at one time considerable, lay in the criminal courts, he thought himself called on to write a law-book, for which in truth, popular as his name was, he was little qualified. He produced, accordingly, his *Justice of the Peace,* circulating everywhere that he meant it to be a practical work, a perfect treasure to gentlemen residing in the country. He kept his word. Eminently practical it soon became, and a treasure too—to the country attorneys. Before six months had elapsed, most magistrates knew the nature of a writ. It was a high treat to hear the author's cross-examination of one of the victims. "In the name of heaven, my good man, what could have

prompted you to act in such a manner?" "Prompted me! O counsellor, I'm more than astonished at you—I'm perfectly ashamed of you! Why, I acted on the authority of your own book." This was rather a puzzler, certainly. But the counsellor's coolness did not desert him. "Oh! as to that, my dear sir, the work has its human defects, no doubt, but I'll correct them all *when it comes to a second edition.*" MacNally's originality and supposed patriotism rendered him an especial favourite with Curran. His was the last hand he shook in Ireland previous to his final visit to this country. Associated intimately in the treason trials, malice attributed to them a sympathy with those they defended. They indeed gave some ground for the report, by refusing to become members of the lawyer's corps during the rebellion. MacNally, for some reason, changed his mind. "Have you considered the risk you run, my dear Mac?" said Curran. "What risk?" "Why, the danger of being shot?" "Do you doubt my courage, Curran?" "Not I indeed, Mac; the risk I mean is from mutiny—from disobedience of orders. Why, man, when the adjutant cries 'march,' you'll unquestionably—*halt.*"

I have used the words "supposed patriotism" advisedly in speaking of MacNally. I have done so because it has been repeatedly asserted, and in print too, that he was a pensioner on the Castle list!!! MacNally a pensioner! If this be false, why is it not contradicted? If it be true, for what services was that pension given? Dr Madden, in his life of Robert Emmett, a work of great research and value, broadly states the fact, but does not give, as he usually does, his grounds for so stating it. The thing is incredible! If I was called upon to point out, next to Curran, the man most obnoxious to the Government of that day—who most hated them, and was most hated by them—it would have been Leonard MacNally. That

MacNally who, amidst the military audience, stood by Curran's side while he denounced oppression, defied power, and dared every danger! Who echoed his expressions, reflected his principles, joined in his daily anathema against Government, and seemed almost to idolise his glance, when, with the bayonets at his breast, the glorious advocate exclaimed, "Proceed to your office. Assassinate me you may—intimidate me you cannot."

Observe, on the steps of the Court of Chancery that Mirabeau-formed figure, gazing abstractedly upon the crowd below. Mirabeau, indeed, in shape and genius, without the alloy of his vices or his crimes. What sweetness there is in his smile!—what thought upon his brow!—what pure benevolence in the beaming of his blue unclouded eye! Observe him well; he will repay the study. Had that man been born in England, with a theatre worthy of his powers, and an audience capable of appreciating them, he must have commanded a European reputation. That is Bushe—Charles Kendal Bushe—the future Chief Justice of Ireland, with powers worthy of a world's admiration, and a name "cribbed and cabined" within a province. By nature enriched with the rare gift of genius, he engrafts on it every grace that art can furnish. The sweet-toned tongue lavishing profusely the treasures of language, intellect, and learning, speaks not more expressively to heart or head, than the glance, the action, and the attitude which wait upon his words, as it were, with an embodied eloquence. This is the day of Kemble and of Siddons, yet the stage possesses no more consummate actor. Consummate truly, for not one trace of art betrays the toil by which it has been fashioned into Nature's image. For five consecutive hours have I listened to that man,* and I was grieved when he sat down. It

* In the great Trimbleston case.

was impossible not to be so. During all that time, he held alternately the passions, the understanding, and the senses captive—willingly captive to the might of his reasoning, the music of his diction, and the absolute enchantment of his exquisite delivery. A wit as well as an orator, Bushe is the delight of every social circle; and a model of domestic virtue, he is the idol of his own. There is a peculiarity about him which renders description difficult. His wit, like his eloquence, seems to flow from him without effort. He is all smoothness. He wants the lines, as sculptors call them, by which a resemblance, becoming deepened, is defined. Duly to appreciate, you must see and hear him. One half his effect is lost, either in description or perusal, and hence his posthumous fame must be inadequate. The following extract from a little poem called "The Metropolis," and published anonymously in Dublin in 1805, conveys but a feeble impression of his powers :—

"Sedate at first, at length his passion warms,
And ev'ry word and ev'ry gesture charms;
Sunk to no meanness, by no flourish swelled,
The copious stream its course majestic held:
The Graces to his polished wit gave birth,
Which wakes the smile, but not the roar of mirth.
His legal tenets stand on stablest ground,
His moral precepts novel and profound—
Well has he traced the law's unbounded chart,
Well searched each corner of the human heart—
In triumph his resistless march proceeds,
Reason and Passion follow where he leads.
Is justice his inalienable trust?
Or does he deem each cause he battles, just?
Suffice it—ev'ry energy of zeal
Marks that conviction he makes others feel."

The wit of Bushe has not a tinge of ill-nature, and springs directly and naturally from the occasion. A few specimens may convey a feeble, and when robbed of his manner, but a feeble idea of its character.

A company of amateurs, persons of rank and fortune,

established a private theatre in Kilkenny, where the performances rivalled even those of the metropolis. The local influence of the performers filled Kilkenny with visitors during the season, which, for the time, was gay, prosperous, and fashionable. Bushe, during a visit in the neighbourhood, regularly attended the theatre, and being intimate with the company, they requested his opinion as to their respective merits. "My good friends," said he, "comparisons at best are but invidious. Besides, how can I give a preference where all are perfect?" Nothing, however, would satisfy them. "We are unanimous," they replied; "all jealousy is out of the question, and your opinion we must have." "Well, well," gravely replied Bushe, "I give it most reluctantly. I protest to you I prefer the PROMPTER, for I heard the most and saw the least of him." Those who knew Bushe well, will smile at the familiar dexterity with which he evaded the question.

When the Ecclesiastical Board was established in Dublin, the Commissioners met to choose its officers. Amongst those members who attended, there were two eminent and truly grateful prelates, upon whom the individual merits of the candidates were pressed. The candid answer was, that "Owing their mitres to the minister, they felt bound to support his nominees!" On this, somewhat startling announcement, Bushe quietly wrote across to Lord Plunket, "It is he that hath made us, and not we ourselves. We are his people, and the sheep of his pasture."

On a Leinster circuit, the bar were once prevented by a violent storm from crossing a ferry called Ballinlaw. Amongst its members there was a Mr Cæsar Colclough, whose usual travelling appendages consisted of a pair of saddle-bags. Magnanimously heedless of danger, he flung *the luggage* into the boat, and ordered that it should pro-

ceed. Bushe, somewhat disconcerted, penned his revenge in the following impromptu :—

> "While meaner souls the tempest keeps in awe,
> Intrepid Colclough, crossing Ballinlaw,
> Shouts to the boatman, shivering in his rags,
> 'You carry Cæsar—and——*his saddle-bags.*'"

A relative of Bushe's, not remarkable for his Hindoo ablutions, once applied to him for a remedy for a sore throat. "Why," said Bushe gravely, "fill a pail with water, as warm as you can bear it, till it reaches up to your knees; then take a pint of oatmeal, and scrub your legs with it for a quarter of an hour." "Why, hang it! man," interrupted the other, "this is nothing more than *washing one's feet.*" "Certainly, my dear John," said he, "I do admit it is open *to that objection.*"

There is an impromptu of his upon two political agitators of the day who had declined an appeal to arms, one on account of his wife, the other from the affection in which he held his daughter :—

> "Two heroes of Erin, abhorrent of slaughter,
> Improved on the Hebrew command—
> One honoured his wife, and the other his daughter,
> That 'their days might be long in the land.'"

We have scarcely time to linger, though in such pleasant company; but one more *mot* of Bushe's cannot be omitted. Although attached to what was called the Tory party, and, in virtue of that attachment, their Solicitor-General, he was more than suspected of entertaining liberal opinions, particularly on the Roman Catholic question. During the reign of the Duke of Richmond, politics ran high, and it is needless to specify the banner of his Grace. The Duke, however, as a convivial spirit, much cultivated—as who would not?—the society of his accomplished Solicitor-General. Dining one day with a right-trusty Orangeman and

"something more," the charter toast, as a matter of course, was given. Bushe seemed to hang fire. The Duke vociferated, "Come, come, Mr Solicitor, do justice for once to the 'immortal memory.'" Hours passed on, and the master of the revels did it such ample and such repeated justice, that at last he tumbled from his chair. The Duke immediately raised and re-installed him. "Well, my Lord Duke," said Bushe, "this is indeed retribution. Attached to the Catholics you may declare me to be—but, at all events, I never assisted at the *elevation of the Host.*"*

In Bushe's eloquence, as in his wit, there is no effort visible. No straining after effect. And yet the effect is produced. The language, the look, the action wonderfully harmonise. The words which flow from his lips so smoothly and so sweetly, tell not more surely on his audience than does the gesture which accompanies them. The passions invoked by the incantations of his tongue seem to dwell for the moment on his countenance. There never perhaps lived a more splendid illustration of the mighty Greek's eulogy on action. Every attitude is grace; every pause, expression; every play of the features a visible portraiture of the thoughts uttered, and the sincerity which seems to inspire them. While Bushe enchains you by the magic of his diction, he also so enchants you by the charm of his manner, that ear and eye and understanding own the spell together. Bushe sustained on the bench his fame as an orator, but he was no longer the advocate. Between high and low, rich and poor, friend and enemy, he made no distinction, seeing in each and all only his fellowman invoking justice; and, without favour, or affection, or hostility, justice he administered.

"In Israel's courts there sate no Abethdin
Of more discerning eyes, or hands more clean."

---

* *Ex relatione* Sir Robert Peel.

I believe he was himself the only sceptic as to his deserved pre-eminence. There were occasions on which he was actually timid. Never shall I forget the state of nervous excitement into which he worked himself on being summoned to give evidence before the Irish committee in the House of Lords in 1839. I think I see him at this moment as I saw him then, hawking his carpet-bag full of documents up and down the corridors, now walking himself out of breath, now pausing to recover it, now eyeing the bag, on which he much counted, and again gazing about in absolute bewilderment. At last, in much perturbation, he exclaimed—"The character of a witness is new to me, Phillips. I am familiar with nothing here. The matter on which I come is most important. I need all my self-possession; and yet I protest to you I have only one idea, and that is, *Lord Brougham cross-examining me!*" My reply consoled him but little. "Indeed, Chief, I rather think you fortunate in meeting your retribution here. There can be no doubt that all the cross-examinations of your life will be expiated by you to-day." I laughed at him without scruple, as I knew well he had nothing to fear either for himself or from his imaginary tormentor. Little then did either of us think that the time was near (alas! too near) when that day's ordeal was thus to be chronicled by the kind and kindred spirit whose scrutiny so alarmed him: "On one remarkable occasion," says Lord Brougham, in his *Statesmen*, "I saw Chief-Justice Bushe examined as a witness, upon matter partly of fact and partly of opinion. No one who heard that very remarkable examination could avoid forming the most exalted estimate of his judicial talents. Many of the questions to which he necessarily addressed himself were involved in party controversy, exciting on one side and the other great heats, yet never was a more calm or a more

fair tone than that which he took and preserved throughout. Some of the points were of great nicety, but the discrimination with which he handled them was such as seemed to remove all difficulty, and dispel whatever obscurity clouded the subject. The choice of his words was most felicitous; it always seemed as if the form of expression was selected which was the most peculiarly adapted to convey the meaning, with perfect simplicity, and without the least matter of exaggeration or of softening. The manner of giving each sentence, too, betokened an anxiety to give the very truth; and the slowness oftentimes showed that each word was cautiously weighed. There was shed over the whole the grace of a delivery altogether singular for its combined suavity and dignity. All that one had heard of the wonderful fascination of his manner, both at the bar and upon the bench, became easily credible to those who heard his evidence." After this day's introduction, Lord Brougham cultivated the intimacy of Bushe; and this consummate judge of men and manners thus relates the impression made on him by his accomplished guest in private intercourse: "Nothing, indeed, could be more delightful than his conversation. It had no effort—not the least attempt at display; and the few moments that he spoke at a time, all persons wished to have been indefinitely prolonged. There was a conciseness and point in his expressions which none who heard him could forget. The power of narrative, which so greatly distinguished him at the bar, was marvellously shown in his familiar conversation; but the shortness, the condensation, formed, perhaps, the feature that took most hold of the hearer's memory." Lord Brougham alludes to a dinner at which Bushe earned this brilliant panegyric. He forgets to say, however, that he was himself the host, and that his hospitable and splendid board was on that

occasion surrounded by men amongst whom distinction was indeed most difficult. It is remembered in Grafton Street as "the dinner of the Chiefs," and was got up on purpose to do honour to the stranger. There were two ex-Chancellors, one Chief-Baron, and four Chief-Justices! —an assemblage to which Ireland contributed Bushe and Doherty, neither of them impediments either to the wit or the wine. There were also Lords Abinger and Denman, and one whose loss England will long mourn—Chief-Justice Tindal. When to these names I add the noble host himself, and Lord Lyndhurst, (a host in himself,) need I say that the party was perfection? It was, however, somewhat difficult of achievement. Bushe had declined, and the task of securing him was assigned to me. A task it was. He dreaded the dinner almost as much as the cross-examination. "He felt in a strange place"—"infirmities were growing on him"—"there could be no old associations in such a company"—besides, "for the last four years he had never dined out of his own house." Such were the excuses beneath which he strove to hide the timidity which made him hesitate. At length, however, he yielded, and "the old man eloquent" soon gave token of what life's noonday must have been, by the serene and softened radiance of its evening. He was the delight of every one, and had tribute paid to him by those who were themselves accustomed to receive it. As there is no authorised record of Bushe's eloquence extant, I hesitate much in extracting even the few following specimens, which I have found in the publications of the day. They are selected from a former compilation of mine, a volume of which has had the invaluable advantage of his own revision, and which has been kindly intrusted to me by his sons. Even though divested of the graces of his delivery, they still will well repay perusal.

DESCRIPTION OF THE GENEROUS CONDUCT OF LORD CLONCURRY, ON HEARING FROM HIS WIFE THE CONFESSION OF HER CRIMINALITY.

"Gentlemen—It requires obdurate and habitual vice and practised depravity to overbear the natural workings of the human heart: this unfortunate woman had not strength further to resist. She had been seduced—she had been depraved—her soul was burthened with a guilty secret, but she was young in crime, and true to nature. She could no longer bear the load of her own conscience; she was overpowered by the generosity of an injured husband, more keen than any reproaches; she was incapacitated from any further dissimulation; she flung herself at his feet—'I am unworthy,' she exclaimed, 'of such tenderness and such goodness: it is too late—the villain has ruined me, and dishonoured you: I am guilty.' Gentlemen, I told you I should confine myself to facts. I have scarcely made an observation. I will not affront my client's case, nor your feelings, nor my own, by commonplacing upon the topic of the plaintiff's sufferings. You are Christians—men; your hearts must describe for me. I cannot—I affect not humility in saying that I cannot—no advocate can, as I told you: your hearts must be the advocates. Conceive this unhappy nobleman, in the bloom of life, surrounded with every comfort, exalted by high honour and distinctions, enjoying great property, the proud proprietor of an elevated rank and a magnificent mansion—the prouder proprietor, a few hours before, of what he thought an innocent and an amiable woman—the happy father of children whom he loved, and loved the more as children of the wife whom he adored—precipitated in one hour into an abyss of misery which no language can represent—loathing his rank, despising his wealth, cursing the youth and health that promised nothing but the protraction of a wretched existence—looking round upon every

worldly object with disgust and despair, and finding in this complicated woe no principle of consolation, except the consciousness of not having deserved it. Smote to the earth, this unhappy man forgot not his character: he raised the guilty and lost penitent from his feet; he left her punishment to her conscience and to Heaven—her pardon he reserved to himself. The tenderness and generosity of his nature prompted him to instant mercy; he forgave her—he prayed to God to forgive her: he told her she should be restored to the protection of her father—that until then her secret should be preserved, and her feelings respected, and that her fall from honour should be as easy as it might. But there was a forgiveness for which she supplicated, and which he sternly refused: he refused that forgiveness which implies the meanness of the person who dispenses it, and which renders the clemency valueless, because it makes the man despicable; he refused to take back to his arms the tainted and faithless woman who had betrayed him; he refused to expose himself to the scorn of the world and to his own contempt: he submitted to misery—he could not brook dishonour."

There is no remark annexed to this passage by the gifted speaker, but it is very curious at this distance of time to read in marginal notes his own criticism on some of the quotations. He was a more severe censor on himself than he would have been on anybody else. Thus, on the very beautiful speech delivered from the chair of the Historical Society of Dublin College, on closing its twenty-fourth session, in June 1794, I find in his handwriting, "*mostly puerile*—1827." He has, however, corrected the whole speech carefully, and to the following passage appended the word "*good*." He might have gone farther. The striking figure contained in it seems to me one of those which, in Lord Brougham's words, is "an argument

in itself."—"But let me repeat, what I cannot say too often, that the voluntary nature of this association—the independence of its constitution—is the essence of such an institution as this; everything that would abridge that freedom would go towards your destruction. Everything that would make you more a collegiate appendage would make you less, the Historical Society. Your pursuits, which are the belles lettres, languished in college; they have flourished in this society—they can never be forced in any soil—the principle of emulation alone can produce them, and emulation is neither solitary nor compulsory. If it is attempted to be applied to insulated individuals, it will perish, like the electric shock, the moment it is communicated, and never go beyond the person who receives it; if one spark is struck in a society united and connected by the chain of sympathetic ambition, it will run through them all from the first to the last, and every man of them will feel its influence tingle through him." To some of the extracts he prefixes, "I think not good;" to others, "bad." Opposite to the following there is no remark, so we may take for granted that even his fastidiousness found no fault with it:—"What man can answer for himself in going into such a self-constituted political society? His first steps are deliberate, his motives are good—his passions warm as he proceeds—the applause, never given to moderation, intoxicates him—the vehemence of debate elates, the success of eloquence inflames him—he begins a patriot—he ends a revolutionist. Is this fancy or history? I well remember —who can forget?—the first National Assembly of France. Composed of everything the most honourable, gallant, venerable, and patriotic in that kingdom; called together for the noblest and the purest purposes, the nobility and the prelacy united with the representatives of the people, and the three estates promised the regeneration of the country.

What was the result? The wise, and the good, and the virtuous were put down or brought over by the upstart, and the factious, and the demagogue; they knew not the lengths they were going; they were drawn on by an increasing attraction—step after step, and day after day—to that vortex in which have been buried even the ruins of every establishment, religious and political, and from whose womb has sprung that colossal despotism which now frowns upon mankind. What has become of that gallant nobility? Where are the pious prelates of that ancient kingdom? One by one, and crowd by crowd, they have fallen on the scaffold, or perished by insurrection. Some, less fortunate, drag out a mendicant exile in foreign lands; and others, condemned to a harder fate, have taken refuge in a tyrant's court, and are expiating the patriotism of their early by the servility of their latter days. . . . What man in a popular and self-constituted assembly would venture to interrupt? The very nature and constitution of the assembly generates danger, and encourages excess. Compare such a constitution with the established authorities of the land, all controlled, confined to their respective spheres, balancing and gravitating to each other—all symmetry—all order—all harmony. Behold, on the other hand, this prodigy in the political hemisphere, with eccentric course and portentous glare, bound by no attraction—disclaiming any orbit—disturbing the system, and affrighting the world!" Bushe was constantly claimed by the liberals as a friend in disguise. His principles seemed to me to be soundly constitutional, with a leaning, if to any party, towards conservatism. Among his papers was found a Christian treatise; and one of his earliest productions was an antidote to the revolutionary theories of Paine. "I love liberty," he writes, "as much as Mr Paine, but differ from him in my opinion of what it is. I pant not for the

range of a desert, unbounded, barren, and savage; but prefer the limited enjoyments of cultivation, whose confines, while they restrain, protect us, and add to the quality more than they deduct from the quantity of my freedom. This I feel to be my birthright as a subject of Great Britain, and I cannot but tremble for my happiness when a projector recommends that we should level the wise and ancient landmarks, break down the fences, and disfigure the face of every inheritance. I have no wish to return to the desert in search of my natural rights: I consider myself to have exchanged them for the better, and am determined to stand by the bargain."

A very incomplete estimate of Bushe's powers can be formed by the mere perusal of the few specimens which I have thus presented. Beautiful as the language unquestionably is, its effect is comparatively lost on paper. He was emphatically the ORATOR OF MANNER. I am not disposed to shelter my own opinions under the authority of a name, however great, or however much I may both love and venerate it. Nevertheless, I cannot refuse to this great man's memory a testimony which I know, were he alive, he would prize before that of any living person on such a subject. And well indeed he might. Most assuredly, if the *laudari a laudato* was ever precious, it is precious here. "His merit as a speaker," writes Lord Brougham, "was of the highest order. His power of narration has not perhaps been equalled. If any one would see this in its greatest perfection, he has only to read the inimitable speech on the Trimbleston cause. The narrative of Livy himself does not surpass that great effort. Perfect simplicity, but united with elegance; a lucid arrangement and unbroken connection of all the facts; the constant introduction of the most picturesque expressions, but never as ornaments; these, the great qualities of narration, accomplish its

great end and purpose; they place the story and the scene before the hearer, or the reader, as if he had witnessed the reality. It is unnecessary to add, that the temperate, and chaste, and even subdued tone of the whole is unvaried and unbroken; but such praise belongs to every part of this great speaker's oratory." This is praise indeed! Alas, that it should be offered on the grave! But so it is. Within that sad and mournful asylum are now inurned the tongue which spoke in music, the eye which now flashed fire, now beamed with sweetness, the brow on which expression sat enthroned, and all the graces which adorned, and all the virtues which gave dignity to life. Noble and beloved old man! Upon that honoured grave let me too shed the unavailing tear, and cast the tributary garland.

> "His, saltem, accumulem donis, et fungar inani
> Munere."

And lo! prominent in the crowd, stands Peter Burrowes. Peter Burrowes, the friend of Grattan, of Plunket, of Tone, and to the last, and devotedly, of the exiled Emmett. He was a most singular personage, uniting to an intellect the most profound, the most childlike simplicity. Though walking on the earth, he seldom saw or heard anything around him. As he rolled his portly figure through the streets, his hands in his breeches pockets, and his eyes glaring on his oldest friend as if he had never seen him, it was plain to all men that Peter was in the moon. It is recorded of him, that, on circuit, a brother barrister found him at breakfast-time standing by the fire with an egg in his hand and his watch in the saucepan!* This absence of mind was invincible, and sometimes produced the most ludicrous effects. I was present once when, in a case of *crim. con.*, intending to cast ridicule or something worse upon the opposing counsel, he thus broke forth, with his

* *Grattan's Life and Times.*

most unmusical voice and gasping enunciation, "But, gentlemen, did you observe the glowing description my young friend gave of the lady? With what gusto he dwelt upon each charm! May heaven forgive me, but strange thoughts forced themselves uppermost! The couplet of the poet flashed on me as he proceeded,—

> 'He best can paint a star,
> Who first has dipped his pencil in—"

His breath here caught, and he came to a dead stop: a roar from the bar broke upon the silence, when the unconscious Peter, looking as if but just awake, brayed out to his junior, "In the name of Providence, what are they all laughing at?" and he gave, as was his custom, a very elongated grunt. The odd stop, the vacant stare, the somewhat terrified interrogatory, produced an effect that baffles all description. Let it not be supposed that, in relating these harmless peculiarities, I would have it understood that this man had not qualities vastly overbalancing them. It would be doing a double injustice to him and to myself. Devoid of every grace and every art, ungainly in figure, awkward in action, and discordant in voice, no man more riveted the attention of an audience or more repaid it. His mind was of the very highest order—his manner forced the conviction of his sincerity, and his arguments were clothed in language chaste and vigorous. For pure, simple, absorbing, unadorned narrative, there can be nothing finer than his speech against Robinson for bigamy. It is quite perfect. What can be more beautiful than the following portraiture of a daughter's value? "Gentlemen, the hapless heroine of the sad story of this unfortunate family was but in her sixteenth year. She was in her person lovely, in her manners interesting, in female accomplishments eminently cultivated, in domestic virtues and female duty pre-eminent. She had an ardent

and elevated mind—a warm and affectionate heart. She was the delight of her parents at home, their pride abroad, the solace of their labours and their cares, and the anticipated hope and joy of their declining years. The love of offspring, the most forcible of all our instincts, is even stronger towards the female than the male child. It is wise that it should be so—it is more wanted; it is just that it should be so—it is more requited. There is no pillow on which the head of a parent, anguished by sickness or by sorrow, can so sweetly repose as on the bosom of an affectionate daughter. Her attentions are unceasing. She is never utterly *fores-familiated.* The boy can afford occasional comfort and pride to his family; they may catch glory from his celebrity, and derive support from his acquisitions, but he never can communicate the solid and unceasing comforts of life which are derived from the care and tender solicitude of the female child: she seems destined by Providence to be the solace and happiness of her parents." This description, so true to nature, was not uselessly or ostentatiously introduced. It was necessary to his case, and exhibits skill and judgment.

His character of Mr Grattan is worthy of perusal, both for its justice and its eloquence. It was spoken in reply to some remarks of the late Lord Londonderry during the violence of the Union debates. Mr Grattan not being present, there was a general call upon Mr Burrowes, as his friend; so that the sketch thus felicitously thrown off was altogether without premeditation. "I feel but little any portion of the noble Lord's obloquy which may attach to me or my humble efforts; but I own I cannot repress my indignation at the audacious boldness of the calumny which would asperse one of the most exalted characters which any nation ever produced, and that in a country which owes its liberties and its greatness to the energy of his exertions,

and in the very house which has so often been the theatre of his glorious labours and splendid achievements. I remember that man the theme of universal panegyric—the wonder and the boast of Ireland for his genius and his virtue. His name silenced the sceptic upon the reality of genuine patriotism. To doubt the purity of his motives was a heresy which no tongue dared to utter. Envy was lost in admiration, and even they whose crimes he scourged, blended extorted praises with the murmurs of resentment. He covered over the unfledged constitution with the ample wings of his talents, as the eagle covers her young: like her he soared, and like her he could behold the rays, whether of royal favour or of royal anger, with undazzled, unintimidated eye. If, according to Demosthenes, to grow with the growth, and to decay with the decline of our country, be the true criterion of a good citizen, how infinitely did this man, even in the moment of his lowest depression, surpass those upstart patriots who only become visible when their country vanishes!

"Sir, there is something most singularly curious, and according to my estimation of things enviable, in the fate of this great man. His character and his consequence are, as it were, vitally interwoven with the greatness of his country: the one cannot be high and the other low—the one cannot stand and the other perish. This was so well understood by those who have so long meditated to put down the constitution of Ireland, that, feeling they could not seduce, they have incessantly laboured to calumniate her most vigilant sentinel and ablest champion. They appealed to every unguarded prejudice, to every assailable weakness, of a generous but credulous people: they watched every favourable moment of irritation or of terror to pour in the detested poison of calumny. Sir, it will be found, on a retrospect of Ireland since 1782, that her liberties never

received a wound, that a correspondent stab was not levelled at his character; and, when it was vainly hoped that his imperishable fame was laid in the dust, the time was deemed ripe for the extinction of our constitution. Sir, these impious labours cannot finally succeed. Glory and liberty are not easily effaced. Grattan and the constitution will survive the storm."

The following description of the injustice and severity of the penal code in Ireland will be read with the more pleasure, as all its barbarous vestiges are now removed. Who can wonder at the errors or excesses of a people at once injured and insulted by such misguided policy?

"Gentlemen, it would be a bitter reflection on your character as Irishmen, to presume you to be hostile to the principles or pursuits of the Catholic committee. Persuaded I am that, whatever your religion may be, or your zeal for that religion—whatever your natural, manly, and constitutional hatred of slavish principles—whatever your predilection for your own creed may be, there is not a man of you who does not rejoice at the blessings which have flowed from the breaking down of the penal code. Some of you are old enough to remember this country in a state of the lowest degradation. Half a century back, it was so squalid and contemptible, that any stranger, whom chance or curiosity brought to our shores, entered with terror, and left them with disgust. No historian, no tour-writer named Ireland but in terms of reproach. The code which caused this lamentable condition has been broken in upon by Protestant liberality going hand in hand with Catholic zeal. It was a code calculated to degrade the Catholics, not merely to the state of the beasts of the field, but far beneath them; to deprive them, not only of every natural and civil right, but of everything that could improve or embellish the nature of man. Every inlet of

knowledge was closed against them. No Roman Catholic could be taught even the rudiments of learning, but upon the terms of abdicating his principles, and surrendering his conscience by renouncing his creed. Harsh measures were adopted to keep their minds as grovelling as their personal condition was abject. Not a ray of light could approach them, except such pilfered literature as persecuted pedagogues could convey, or such barbarous philosophy as could be supplied from foreign universities, under the severest prohibitions: as if ignorance were an antidote to superstition—as if the light of science would extinguish the light of the gospel!"

No apology, I am sure, is necessary for the introduction of these quotations. It would have been an injustice to a most superior man to let his delineation consist merely of his whimsicalities. Art had nothing at all to do with Peter Burrowes. He was a pure child of nature—a creature of impulses, all leading in a right direction.

Peter repaid the friendship of Lord Plunket with a return almost bordering on idolatry. In the memorable contest between his friend and Mr Croker for the representation of the university of Dublin, the state of the poll might have been gathered from his aspect—bright or black, as the votes happened to preponderate. At last victory declared itself, and out he rushed into the courtyard, as thoroughly intoxicated with joy as was ever Irish gentleman with whisky. In aught which affected the interests of his friend, his faculties enlisted themselves, till they became perfectly bewildered. Some still living, perhaps, may remember his motion in the case of Hodges, the publisher, respecting the speech of Robert Emmett. It was a subject which deeply affected the feelings of Mr Plunket; and no wonder. Emmett was represented as having in his speech, when called up for judgment, reproached him as the teacher of

the principles for which he was about to suffer; as having been the constant guest at his father's table; and of having, after being warmed in his very bosom, stung his child to death;—a dreadful accusation, but never made, and utterly unfounded. The charge, however, was persisted in with malignant perseverance. Mr Plunket had, in two several affidavits, hoped he had sufficiently established his vindication. The hope, however, was a vain one. There is nothing which possesses such vitality as slander. Dissect it as you may, the dissevered serpent will still quiver with a simulated animation. He was compelled to appear in Court again; and the following is an extract from his third affidavit:—After denying the imputations stated above, he proceeds to vindicate his having spoken at all, when, in fact, the prisoner, so far from denying his guilt, gloried in its avowal, and almost invoked an adverse verdict. "This deponent says that he was then of opinion that it would be some service to the public that this deponent should avail himself of the public opportunity of speaking to the evidence in the said trial, by pointing out the folly and wildness, as well as the wickedness, of the treasonable conspiracy which at that time existed. And this deponent says, that in the observations which he made on the said trial, this deponent did remark on the unworthy use which the said Robert Emmett had made of his rank in society, and of his high abilities, in endeavouring to dissatisfy the lower orders of labourers and mechanics with their lot in life, and engaging them in schemes of revolution, from which they could reap no fruit but distress and death. And this deponent did also remark on the danger and ruin to which the said Robert Emmett had exposed his country, by having proposed (as this deponent conceives the fact to be) to call in the assistance of the French. But this deponent says, that

he is not conscious of having made use of any expressions, on that occasion, which were calculated to give unnecessary pain to the said Robert Emmett, or which in any degree departed from the respect which was due to a gentleman in his unfortunate situation." I have spoken elsewhere on this subject, and given Mr Plunket's own reasons for having spoken at all—the only charge, in fact, on which his bitterest enemies could rest. *Valeant quantum.* Everybody knows that he had three names—William Conyngham Plunket; and no one knew it better than Burrowes, who, as his oldest and most familiar friend, was intrusted with the motion. Poor Peter, big with its importance, was himself no longer. He read, but understood not; he gazed, but saw not. "Chaos was come again." His heart began to palpitate; the throb by degrees mounted to his head, till head and heart together danced the hays through the three luckless names. It was now, "Mr Conyngham," now "Mr William Conyngham," now Mr William Plunket Conyngham; but by no chance did he ever stumble on the right one.

His grandest exploit, however, in this line, came off on one of the assize towns on his circuit. A murder, which caused much excitement, had been committed, and he had to state the case for the prosecution. In one hand—having a heavy cold—he held a box of lozenges, and in the other, the small pistol-bullet by which the man met his death. Ever and anon, between the pauses in his address, he kept supplying himself with a lozenge, until at last, in the very middle of a sentence, his bosom heaving and his eyes starting, a perfect picture of horror, Peter bellowed out, "Oh—h—h—gentlemen—by the heaven above me—*I've swallowed the bull—llet.*" It is attempted by the orthography to give a faint idea of the pronunciation; as to the manner, neither pen nor pencil could convey it. It is gratifying to

record, that through Lord Plunket's friendship, the last days of Burrowes were those of ease and contentment. About six years ago he died in London, at the age of ninety, in the enjoyment of sixteen hundred a-year, that being the retiring allowance of an insolvent commissioner in Ireland. Some short time before his death, Lord Plunket, on his way through town to visit Italy, called on him to say farewell: it was soon manifest to both that it was to be for ever: Lord Plunket was obliged to be assisted to his carriage, and Burrowes never recovered the shock. The friends were to meet no more. He and John Parsons, uncle to Lord Rosse, were the first Irish commissioners of insolvency, and the appointments were understood to have come just in time. Kites—in matter-of-fact England prosaically called accommodation bills—had long flown between them; so long, indeed, that the flight grew somewhat feeble. Parsons was himself an original and a wit. A tall, lanky man, his waggeries gained effect from the peculiarity of a lisp. The retrieved associates, on their way to court, for the first time indulged, as was natural, in mutual gratulations. "What a lucky hit!" said Peter; "who could have expected it?" "Everybody, Peter; what else had we before us but the *benefit of the act?*" There was a grave literal meaning about Parsons' notabilia, which at once affiliated them. One instance occurs in his answer to a Crown solicitor on circuit. The man had an awful halt in his gait, and limped hastily up to Parsons in the street with, "Pray, Mr Parsons, did you see Mr MacNally walking this way?" "Upon my word, sir," was the answer, "I never saw him walking any other way."

But, stop!—Who is that square-built, solitary, ascetic-looking person, pacing to and fro, his hands crossed behind his back, so apparently absorbed in self—the observed of all, and yet the companion of none? It is easy enough to

designate the man, but difficult adequately to delineate the character. Perhaps there never was a person less to be estimated by appearances: he is precisely the reverse of what he seems. Externally cold, yet ardent in his nature; in manner repulsive, yet warm, sincere, and steadfast in his friendships; severe in aspect, yet in reality social and companionable. That is Plunket—a man of the foremost rank, a wit, a jurist, a statesman, an orator, a logician—the "Irish Gylippus," as Curran called him, "in whom are concentrated all the energies and all the talents of his country." Eminent at the bar, it is in parliament we see his faculties in their fullest development. Yet, in the Irish House of Commons, his chief displays were on a single question—that of the Union; and in the British parliament—that of the Roman Catholic question. His style was peculiar, and almost quite divested of the characteristics generally to be found in that of his countrymen. Strong cogent reasoning—plain, but deep sense—earnest feeling and imagery, seldom introduced except to press the reasoning or to illustrate it, were the distinguishing features of his eloquence: he by no means rejected ornament, but he used it severely and sparingly; and though it produced its effect, it was not directly, but rather collaterally and incidentally. He always seemed to speak for a purpose, never for mere display; and his wit, like his splendour, appeared to be struck out by the collision of the moment. In this, indeed, his art was superlative. There were passages which could not have been flung off extempore, and must have been the result of very elaborate preparation. The following noble burst, fervid though it is, seems to me stamped, particularly in its commencement, with the impress of deep thought. It is extracted from his speech on the Union, pronounced in the Irish House of Commons on the 16th of January 1800.

"There are principles of repulsion; yes, but there are principles of attraction, and from these the enlightened statesman collects the principles by which the countries are to be harmoniously governed. As soon would I listen to the shallow observer of nature who should say there is a centrifugal force impressed upon our globe, and therefore, lest we should be hurried into the void of space, let us rush into the centre to be consumed there. No; I say to the rash arraigner of the dispensations of the Almighty, there are impulses from whose wholesome opposition eternal wisdom has declared the law by which we revolve in our proper sphere, and at our proper distance. So I say to the political visionary, from the opposing system which you object to, I see the wholesome law of imperial connection derived. I see the two countries preserving their due distance from each other, generating and imparting heat, and life, and light, and health, and vigour; and I will abide by the wisdom and experience of the ages which are past, in preference to the speculations of any modern philosopher. Sir, I warn the ministers of this country against persevering in their present system. Let them not presume to offer violence to the settled principles, or to shake the attached loyalty of the country. Let them not persist in the wicked and desperate doctrine which places British connection in contradiction to Irish freedom. I revere them both. It has been the habit of my life to do so. For the present constitution I am ready to make any sacrifice. I have proved it. For British connection I am ready to lay down my life. My actions have proved it. Why have I done so? Because I consider that connection essential to the freedom of Ireland. Do not, therefore, tear asunder, to oppose each other, the principles which are identical in the minds of loyal Irishmen. For me, I do not hesitate to declare that if the madness of the

revolutionist should tell me, 'you must sacrifice British connection,' I would adhere to that connection in preference to the independence of my country; but I have as little hesitation in saying, that if the wanton ambition of a minister should assail the freedom of Ireland, and compel me to the alternative, I would fling the connection to the winds, and I would clasp the independence of my country to my heart. I trust the virtue and wisdom of the Irish Parliament and people will prevent the alternative from arising. If it should come, be the guilt on the heads of those who make it necessary."

There is a fervour burning throughout these impassioned words seldom discernible in his English speeches. Indeed, it always has appeared to me that there is a palpable difference to be found in the style of this great speaker in the Irish and in the Imperial Parliament. In the latter, whether from his more mature years, or from his studiously adapting himself to the genius of the people, he becomes comparatively chastened and severe. Although obnoxious to Grattan's admonition to Flood, that "an oak of the forest was too old and too great to be transplanted at fifty," he ventured, after seven years' hesitation, into the English House of Commons. His name was scarcely known there, but, on his very first speech, he was at once and unanimously recognised as an orator of the highest class. He burst abruptly upon Parliament in all the effulgence of his genius. The almost unexpected appearance of so brilliant a luminary above the political horizon, immediately attracted every eye, and fixed the public attention. It stood alone and incomparable. Neither to the two great luminaries which had just set, nor to the lesser lights which still shone, did it, in any portion of its phases, bear resemblance. There was nothing of Pitt's majestic diction—nothing of the fierce vehemence of Fox. The sparkling fancy of Canning was not there,

nor Sheridan's adorned declamation, nor Windham's Attic graces. He stood alone, isolated and original. This speech was delivered in 1807, and was on the Roman Catholic question. Carefully nursing his fame for six years in silence, he re-entered Parliament in 1813, where he spoke but twice in two sessions, and both times on the same subject. On each occasion he was eminently successful. In the second of these speeches he thus finely alluded to the penal laws:—"Those mighty instruments, why are they hung up like rusty arms? Does not every man know that they are endured only because they are not executed; and that they never are referred to in any discussion whatever, without pleading their inactivity as the only excuse for their existence? The taste and sense of the public is in this respect a reproach to the tardy liberality of the legislature." In that same speech there is a passage happily combining brilliant eloquence with sarcasm, the more biting because apparently unintentional. It was addressed to Abbot, the Speaker, an opponent of the Roman Catholic claims, and whose duty it was to convey *ex officio* the thanks of the House to the Generals to whom they had been voted. After referring to the usage at a Roman triumph, of having a whispered humiliation to lower the victor's pride, and a passing allusion to the victories of Wellington, he said—"But you, sir, while you were binding the wreath round the brow of the conqueror, assured him that his victorious followers must never expect to participate in the fruits of their valour; but that they who shed their blood in achieving the conquest, were the only persons who were never to share the profits of success in the rights of citizens!" This was keen, polished, and the more cutting, because abundantly deserved. It was suited also to the taste of his audience, and contrasts curiously to the different style in which he thus dealt with Lord Castle-

reagh in his native parliament—"There are no talents too mean—there are no powers too low, for the accomplishment of mischief; it is the condition of our nature; it is part of the mysterious and inscrutable dispensation of Providence, that talents and virtues and wisdom are necessary for the achievement of great good; but there is no capacity so vile or so wretched as not to be adequate to the perpetration of evil." His speech also on the Roman Catholic question, in February 1821, absolutely electrified the House, and drew from Sir James Mackintosh the declaration that "it proved him to be the greatest master of eloquence and reasoning then existing in public life." It is a model of cogent and profound reasoning, impassioned declamation, and the happiest historical allusions. But it affords little opportunity of selection and citation. One passage, however, deserves a record. After referring to the many great men who had borne their parts in the discussion of the question, he says—"Walking before the sacred images of the illustrious dead, as in a public and solemn procession, shall we not dismiss all party feeling, all angry passions, and unworthy prejudices? I will not talk of past disputes; I will not mingle in this act of national justice anything that can awaken personal animosity."

There is a faculty possessed by him, of very rare acquisition, and certainly exercised with a facility without example—that of embodying his whole argument in some simile or allusion, never expected, but still marvellously and felicitously appropriate. This cannot be better exemplified than by the noble image so justly lauded by Lord Brougham in his sketch of Mr Grattan. It is taken from one of his speeches in the Irish Court of Chancery, where, adverting to the limitation of suits by lapse of time, he so finely says, "Time is ever mowing down, with his scythe in one hand, the evidences of title, wherefore the humane and considerate

wisdom of the law places in his other hand an hour-glass, by which he metes out the periods of possession that shall supply the place of the muniments the scythe has destroyed." Surely never before, from materials so ordinary, nay, homely, was so just and beautiful an illustration deduced. The skill, too, with which he extricated himself from a difficulty was often admirable. Thus, in the debate on the Reform Bill, when compelled to reconcile his former hostility to such changes with his present advocacy of that great measure, he said, "In those days reform came like a felon, and was to be resisted; it now comes as a creditor; you admit the justice of the demand, and only haggle on the instalments by which it shall be paid."

During the greater portion of Mr Plunket's professional life, he almost exclusively confined his practice to the Court of Chancery, a court affording but few opportunities for any display of eloquence. This is much to be regretted, and all will think so who have been fortunate enough to hear any of his addresses to a jury. To those who have not, let me present the following noble passage from his speech, when, as Attorney-General, he prosecuted the rioters in the celebrated "bottle case," during the Vice-royalty of the Marquis Wellesley, on the 3d of February 1823. The nature of the orator's mind precludes the idea that what might at first sight seem a digression was one in reality. He never did anything merely for display. The allusion to William the Third was forced upon him by the nature of the trial, and nothing can be more admirable than the skill displayed in it, when it is remembered that it was a paramount object to conciliate the Orange jury he was addressing. Considered merely as a historic sketch, it seems to me, for depth of thought, condensed and nervous expression, masterly results, and a noble and inspiring eloquence, worthy of the highest place in English literature.

"Perhaps," said he, "my Lords, there is not to be found in the annals of history a character more truly great than that of William the Third. Perhaps no person has ever appeared on the theatre of the world who has conferred more essential, or more lasting, benefits on mankind: on these countries, certainly none. When I look at the abstract merits of his character, I contemplate him with admiration and reverence. Lord of a petty principality, destitute of all resources but those with which nature had endowed him, regarded with jealousy and envy by those whose battles he fought, thwarted in all his councils, embarrassed in all his movements, deserted in his most critical enterprises, he continued to mould all those discordant materials—to govern all these warring interests; and merely by the force of his genius, the ascendency of his integrity, and the immoveable firmness and constancy of his nature, to combine them into an indissoluble alliance against the schemes of despotism and universal domination of the most powerful monarch in Europe, seconded by the ablest generals, at the head of the bravest and best disciplined armies in the world, and wielding, without check or control, the unlimited resources of his empire. He was not a consummate general: military men will point out his errors: in that respect, fortune did not favour him, save by throwing *the lustre of adversity over all his virtues.* He sustained defeat after defeat, but always rose '*adversâ rerum immersabilis undâ.*' Looking merely at his shining qualities and achievements, I admire him as I do a Scipio, a Regulus, a Fabius. A model of tranquil courage, undeviating probity, and armed with a resoluteness and a constancy in the cause of truth and freedom, which rendered him superior to the accidents that control the fate of ordinary men.

"But this is not all. I feel that to him, under God, I am at this moment indebted for the enjoyment of the

rights which I possess, as a subject of these free countries; to him I owe the blessings of civil and religious liberty; and I venerate his memory with a fervour of devotion suited to his illustrious qualities and to his godlike acts."*

On the bench he was remarkable for the care and diligence with which he performed his high judicial duties. Nothing could exceed the attention which he bestowed on every case; having little regard to their relative importance; justly considering that nothing could come before a judge without calling for all the care he could bestow on it. Though not claiming to rank with the Eldons or Mansfields, either at common law or in equity, still he had a completely legal understanding; and his judgments abundantly attest this, whether dealing with the law or the facts. Several of his decrees in the Court of Chancery had been reversed by his successor, Sir Edward Sugden, one of the greatest equity lawyers that Westminster Hall ever produced; but the reversals were afterwards, in some cases, set aside by the House of Lords. In one of these, his judgment was sustained against that of this great jurisconsult, on a point of property law—a department which the latter had almost made his own.

When in Parliament, Mr Plunket filled such a space as a senator in the public eye, that justice has scarcely been done to his merits as an advocate in the courts of law. Yet he was a great and a successful one. The marvellous power which is said, in 1821, to have converted nine hostile votes on the Roman Catholic question in the British House of Commons, lost none of its efficacy in an Irish court of law. The grave senator, discussing in Parliament the interests of nations with a statesman's wisdom, will hardly be recognised in the dexterous tactician of a country assize. Yet such was his versatility, and so much was

* Rex *v.* Forbes and others.

he at home in each variety of his efforts, that it was difficult to say which deserved the preference. When we behold the minister quailing beneath his rebuke, the bigot abashed by his exposure or silenced by his reasoning, the slave freed, and the constitution's outlaw recalled and recognised at the mandate of a tongue which taught all who heard it that "Attic voices" were no longer mute; imagination itself can scarcely picture him the hero of a country court, awakening the wonder of its peasant audience. Yet circuit anecdotes enough attest his talent and its exercise. It is recorded that, in his own county town of Enniskillen, he defended a horse-stealer with such consummate tact, that one of the fraternity, in a paroxysm of delight, burst into an exclamation, "Long life to you, Plunket! The *first horse I steal*, boys, by Jekurs, I'll have Plunket!" The Court of Chancery latterly monopolising his attention, all opportunity for display was lost. Yet here, so eminently useful was he, that he could afford to play with his business, deserting it for Parliament, and certain of finding it awaiting his return.

The witticisms of Mr Plunket had a causticity about them which, with many, added to their relish. They were always ready, and most of them manifestly struck off at the moment. The following is a fair specimen of his promptness and his sarcasm. On the formation of the Grenville administration, Bushe, who had the reputation of a waverer, apologised one day for his absence from Court, on the ground that he was "cabinet-making." The Chancellor maliciously disclosed the excuse on his return. "Oh, indeed, my Lord! that is an occupation in which my friend would distance me, as I never was either a *turner* or a *joiner*." Of a similar character was his remark on being told that his successors in the Court of Common Pleas had little or nothing to do. "Well, well," said he, "they're *equal to it*." A very

amusing *bon mot* of his, in itself precludes the possibility of preparation. There was a clerk in the Court of Chancery, of the name of Moore, who plumed himself on his superior penmanship, and an attorney of the name of Morris, an exquisite in his dress, which generally had the finish of a bunch of geraniums in his button-hole. "Plunket," said Bushe one day while they were waiting for the Chancellor, "why should this court remind us of the road to Chester?" "I give it up," replied Plunket. "Don't you see," said Bushe, "we are under *Penman Moore?*" "Well, Bushe," rejoined Plunket, "I was stupid indeed, with *Beau Morris* opposite me." Being told of the appointment of a person, who had the reputation of indolence, to a judicial office where there was little business, "It's the very court for him!" he exclaimed; "it will be up every day before himself." He could jest sometimes even at his own expense. Everybody knew how acutely he felt his forced resignation of the Chancellorship, and his supersedeas by Lord Campbell. A violent tempest arose on the day of his expected arrival, and a friend remarking to him how sick of his promotion the passage must have made him: "Yes," said Plunket, ruefully, "but it won't make him throw up the seals." This singular coincidence occurs in the judicial history of Lord Plunket and Mr Curran, that whereas the one came into collision with his party on his elevation to the bench, so did the other on his retirement from it. When the Melbourne administration was within three months of its dissolution, the Irish Lord Chancellor received a hint that his resignation would not be unacceptable! Conscious of having performed his high duties with honour to himself and utility to the nation, and feeling also that he was at that moment in the fullest possession of his faculties, he disregarded the intimation. It is not impossible that an occurrence, of a few years'

standing, personal to himself, was not forgotten on this occasion. On the formation of the Canning ministry, he had accepted the office of Master of the Rolls in England, but reluctantly gave way to a cabal which had been raised against him as a stranger. Its members forgot how many Chancellors the English bar had vouchsafed to Ireland—a few, too, whom it could afford to spare without loss or inconvenience; but Lord Plunket did not. Doubtless he recollected some of the luminaries before whom he had so often pleaded, and felt that his own light, feeble though they thought it, was scarcely extinguished by their brilliancy. Finding, therefore, that the rule by which a stranger, no matter how high his qualifications, was excluded from the English bench, was not meant to be reciprocated in Ireland, he felt it to be his bounden duty to the bar to withhold his acquiescence. His retiring address not only discloses why at length that acquiescence was accorded, but contains a hint to future ministers (on which Lord John Russell has most wisely and honourably acted) as to the paramount claims of the Irish bar to the highest judicial office in their own country. But though the Irish Chancellor felt himself, under all the circumstances, compelled to give way, he never forgot or forgave what he not unnaturally considered both a national and a personal indignity, and declined all further association with the minister by whom it was offered. His farewell to the bar is not to be misunderstood. "Now, with respect to the particular circumstances which have occurred, and the particular succession which is about to take place in this court, it will become me to say very little. For the individual who is to occupy the situation I now fill, I entertain the highest political and personal respect. No one can feel it more; but I owe it as a duty to myself and the members of the bar to state, that for the changes which

are to take place I am not in the slightest degree answerable. I have no share in them, and have not, directly or indirectly, given them my sanction. In yielding my assent to the proposition which has been made for my retiring, I have been governed solely by its having been requested as a personal favour by a person to whom I owe so much, that a feeling of gratitude would have rendered it morally impossible that I could have done otherwise than to resign. When I look at the bar before me, and especially at the number who might have sat efficiently in this judicial place, I am bound to say, that for all those great ingredients which are calculated to enable them to shine as practitioners, as members of the bar, or as gentlemen—for candour, courtesy, knowledge, and ability—I challenge competition. I challenge the very distinguished bars of either England or Scotland, and I do not fear that those I have the honour of addressing will suffer in the comparison. To them, for their repeated kindnesses, I am deeply indebted. I do assure them, when I retire into quiet life, I will cherish in my heart the affectionate kindness and attention I have experienced at their hands."

Let us not leave the scene without one passing glance at thee, quaint Allen—and at thee, albeit nondescript and indescribable, old Jerry Keller! Allen was a person *sui generis*—a phenomenon, a lawyer "without guile;" simple, learned, abstracted; though in the world, he was scarcely of it. Foiled in four attempts to obtain a fellowship in Dublin University, there can be no doubt that he was somewhat crazed by the continued application. For an examination, comprising all the sciences and all the classics, carried on in Latin, the preparation is necessarily painful and laborious. Thus soured in the outset of life, he contracted peculiarities with which it was not at any time oversafe to tamper. An insolent attorney once woefully

rued the experiment in the Hall of the Four Courts, Allen dashing his bar-wig in his face, very nearly blinding him with the powder! They met, as a matter of course. The attorney fired and missed; Allen, who had purposely reserved his fire, brandishing his pistol furiously about to the imminent danger of all within its range, wildly demanded of his awe-struck second, in whose mind's eye the gallows largely loomed—"Shall I rush on him with a shout, *after the manner of the ancients?*"

Many, still surviving, recollect the memorable "appeal of murder;" Allen being for the appellant, MacNally for the respondent, and Downes presiding. What a scene it was! The solemn and ponderous old chief almost justified Curran's soubriquet of the "Human quagmire," so awfully did he shake. Perplexed, and somewhat terrified, he addressed himself to Allen—"Have you any precedent, sir—any authority to cite to us for this most extraordinary proceeding?" "I have, my lord," said Allen, whose enunciation was slow, measured, and solemn, and whose bearing at the moment by no means invited familiarity—"I have the authority of the most august court on record—that of the Athenian Areopagus." "And I," squeaked out MacNally, "meet it with the authority of the immortal Shakspeare—your lordship must remember the cut-throat invitation to poor Barnardine—'Barnardine, come out and be hanged.' 'Not I,' quoth Barnardine, 'it's *not convenient.*'" Allen, however, despite the Areopagus, produced many and opposite authorities, and drew largely from the most recondite sources. Long and sorely did this chafe MacNally, upon whom the barbarous Latin and the Norman French might, without risk of detection, have been palmed for Hebrew. Much did he silently endure, rather than expose his deficiency; but, at last, page after page of gibberish set him almost beside himself. "In the name

of justice, I ask it, is a living man to be sacrificed to the dead languages? Give us plain English. I demand, at least, the benefit of the *vernacular*." The arguments proceeded. The advocates waxed warmer, and Downes shook most awfully: it was little wonder. From the authorities cited, there appeared every probability that the "battle" must be fought; and there was Downes, grown gray upon the bench, the very model of ermined proprieties —the "Virgin Judge," as he was called, about to become, in his old age, a kind of judicial bottle-holder! "Can it be possible," he piteously exclaimed, "that this 'wager of battle' is seriously insisted on? Am I to understand this monstrous proposition as being propounded by the bar—that we, the judges of the Court of King's Bench—the recognised conservators of the public peace, are to become not merely the spectators, but the abettors of a mortal combat? Is this what you require of us?" "Beyond all doubt," said Allen; "and from the ancient books the manner of it is thus:—Your Lordship is to be elevated on a lofty bench, with the open air above you, the public before you, and a spacious platform beneath you, on which the combatants are to do battle till one or both of them dies." "Ay," again shrilly squeaked MacNally, "from daylight to dusk, until your Lordship calls out to us—'I see a star'—such is the consequence of Mr Allen's proceedings!" As good luck, however, would have it, at this critical moment the case of Abraham Thornton turned up in England, quite as much to the horror of Lord Ellenborough as to the relief of Downes.

The appeal failing in England, the Irish proceeding shared its fate, and the legislature has since rendered the recurrence of this barbarous process impossible. Perhaps here it may be only right to add, in reference to the Irish Chief-Justice, some of whose peculiarities have been noted,

that he was patient, pains-taking, and, for the times, learned. He was, however—why, I never was able to ascertain—the object of Mr Curran's especial aversion.

Of Keller, Jeremiah Keller, (familiarly called Jerry,) it is difficult to speak—speaking justly; mirth and melancholy so blend with the recollection. Possessing talents of the very highest order, he dwindled into a mere cypher. Capable of anything, he achieved nothing. An independent spirit more than counteracted his superior powers. He was ignorant of the mean and manifold arts by which blockheads distanced him. Simpleton enough to rely on merit in a venal age, when all around him was corruption, when the bench was purchased by the sale of the country—and it was said of many that they never had been advocates until they became judges—no great wonder Keller rose not. He failed in the very elements of success. He sought to gain no character for himself by whispering away another's. He had not conned even the alphabet of huggery. He was neither obsequious to an attorney's wife, nor amorous of an attorney's daughter, nor even ambitious of being an attorney's host. When many men around him laid out much of their profits upon the *prandial investment*, Keller gave no dinners, and so gained no clients. This degrading custom was so notorious in those days, (now, of course, become obsolete,) that Grady alludes to the failure of the speculation in his own case, actually as a reason for relinquishing the profession. He plaintively exclaims in his poem called the "Nosegay,"

"I lost in mutton what I gained by briefs."

It is to be hoped that all who embark in similar speculations may meet a similar result, and find also, to their cost, that an attorney's appetite "grows by what it feeds on." Keller, at last, worn out by hope deferred, in an evil hour

sought refuge in society. That wounded spirit, which might have led juries captive or enchained a senate, contented itself with "setting the table in a roar." The bottle, if it must be told, became a substitute for the brief; and all that remains of talents sadly sacrificed, are the random sallies which sprang from its inspiration. Bitterly conscious must he have been of this, when, seeing Mayne—the dull and solemn Mayne, who never learned a laugh—taking his seat upon the bench, he was overheard muttering to himself, "What is Newton worth, when there's Mayne risen by his gravity, and here's Keller sunk by his levity!" Keller's person was portly, his demeanour grave and sedate, and his whimsicalities so peculiar, that they might be recognised at once. As Curran said, "there was no mistaking them—*the name was on the blade!*"

There was on the Munster circuit, which he went, a Roman Catholic barrister of the name of O'Gorman, a most excellent man, whom Lord Anglesea did himself credit by promoting. This gentleman naturally took part in the emancipation struggle, but, as Keller chose to fancy, somewhat too prominently. Observing him one day at the bar mess rather mistaking his dish, he called out, "What, O'Gorman! you of all men eating meat on a Friday!" "Do you think, Jerry," said O'Gorman, "that I have the Pope in my stomach?"—"No, but quite enough of the Pretender in your head." It may easily be surmised from what has been stated, that Jerry's law was not weightier than he could carry. He was, however, by no means pleased at any allusion to the subject, nor very particular in the mode of avenging himself, if it was made. There was a luckless attorney in the city of Cork, who happened to have a malformation of the hands. He and Keller differed at sessions on the construction of an act of Parliament. Both were warm and pertinacious. At length the

attorney sent for the statute, and, spreading his unfortunate fingers over a section, exclaimed in triumph, "I knew I was right—the barrister's beaten—here's the clause for you." "You are right for once," cried Jerry; "they're a great deal liker claws than hands!". Notwithstanding an occasional moroseness, Keller was much beloved by the profession. The successful had no cause for envy, and others, whom his sarcasms wounded, found an apology in his disappointments. There were times, however, when forbearance was in danger of being exhausted, especially after dinner. Mr Nicholas Philpot Leader fell one evening under his extreme displeasure, and was belaboured accordingly. Leader's hair, it must be premised, was somewhat frizzled, and his principles *liberal*, to say the least of them. The difference arose out of that ever-fertile source of differences in Ireland, a political discussion; and Keller, foiled in argument, had recourse to the most outrageous personalities. The outside of poor Leader's head, and its interior conformation, divided between them sarcasms the most offensive. Leader felt called upon to notice this, and a man of war at daylight invaded Jerry's slumbers. Loudly and gruffly did he grumble at the intrusion, as he poked his red woollen nightcap over the counterpane. "In the very gray of the morning too," said Keller. "I suppose you call this good breeding." "I tell you what, Mr Keller, I want none of your waggery. I'm not here to be trifled with: Mr Leader's wrongs must be atoned for within the hour. You had full notice. Look at your dressing-table, and you will see; we are prepared." He looked up, and, sure enough, the WOGDENS were there! Things looked very serious—Jerry thought so. "I hope, sir," said he, "you don't mean to offer any violence to me *in my bed.*" "You need not fear that, sir." "Have I your honour for that?" "Why, the question's somewhat

offensive, sir; but I do pledge my honour." "Very well, then," said Jerry, "*I'll not get up to-day;* so, now, be off to your principal, and *tell the woolly-headed republican I forgive him.*" A day thus passed over the wrath of Leader, whose good-nature yielded to the general decree, that after dinner Jerry was to be privileged.

His rebukes sometimes were more merited, and he did not spare them. There was a Sir Judkin Fitzgerald, who, being sheriff of Tipperary, had, it was said, during the rebellion of 1798, practised great cruelties. Among other things, he was reported to have dipped the cat-o'-nine-tails in *brine* before a flogging! By way of excuse to Keller, he boasted that, by his firmness, he had "*preserved* the county." "No," said Jerry, "but you *pickled* it." Keller and some of his companions were one evening enjoying themselves rather freely at the lodging of a friend with whom they had dined, when an intimation was given them that the lady of the house had just been unexpectedly confined. The host considerately proposed an adjournment of the sitting to an hotel opposite—"Oh, certainly," said Keller, "*pro re natâ.*" The story will not lose its interest from the circumstance that the young stranger was the poet Moore. When Lord Avonmore was raised to the peerage, the draft of the patent was sent to him for his approval. He called a few friends together, amongst whom was Keller, to hear it read. The wording ran in the usual form: "To all to whom these letters-patent shall come, greeting. We of the *United* Kingdom of Great Britain and Ireland—" "Stop, stop!" cried Keller. "Why should he stop?" said Lord Avonmore. "Because it strikes me, my lord," said Keller, "that the *consideration* is set out too early in the deed." *He was ennobled for his vote on the Union.*

And now farewell, my old and dear associates! and peace be to thy frailties, much-beloved old Jerry! Heirs enough

to them are left behind thee, but to thy numerous atoning qualities a populace of sneerers can offer no succession.

Mr Curran's place at the Irish bar has not even been approached since his departure. There is no man not merely next him, but near him. I have heard the best efforts of the ablest amongst them, and though they were brilliant in their way, it was as the brilliancy of the morning star before the sunbeam. One, perhaps, is witty, sarcastic, argumentative; another fluent, polished, plausible; a third, blunt, vehement, and energetic: but there is not one like him, at once strong, persuasive, witty, eloquent, acute, and argumentative, giving to every argument the charm of his imagery, and to every image the magnificent simplicity of his manner; not one who, when he had touched all the chords of pity, could so wrinkle up the cheek with laughter, that the trickling tear was impeded in its progress; not one who, when he had swept away the heart of his hearer, left at the same time such an impression upon his memory, that the judgment, on reflection, rather applauded the tribute which, at the moment of delivery, had been extorted from the feelings. Who, at any bar, was ever like him at cross-examination? England possessed in Mr Garrow a man of unquestionable power in this particular; but that natural shrewdness did not in him, as in Mr Curran, act merely as a pioneer to the brilliant and overwhelming force which was to follow. "The most intricate web," says the learned editor of his *Speeches*, "that fraud, malice, or corruption ever wove against the life, character, or fortune of an individual, he could unravel. Let truth and falsehood be ever so ingeniously dovetailed into each other, he separated them with facility. He surveyed his ground like a skilful general, marked every avenue of approach, knew when to yield or attack, instantly seized the first inconsistency, and pursued

his advantage till he completely involved perjury in the confusion of its contradictions." His effect at times was electric and universal. The judge and the mob, the jury and the bar, were equally excited; and Lord Clonmell himself, his bitter enemy, rising on the judgment-seat to restrain the popular enthusiasm, confessed himself overcome by the eloquence that had produced it. In our estimate of him as a barrister, we must not omit the noble and dignified intrepidity with which he resisted any judicial encroachment on the privileges of the profession. In such instances the dock or the dungeon had for him no terrors, and to his antagonist neither talents nor authority gave protection. Nor was this spirit the result of any captiousness of disposition. To his fellow-labourers at the bar he was all amenity, but most particularly to the young and inexperienced. There was no young man of his time, of any promise, to whom he did not hold out the hand, not only of encouragement, but of hospitality; and so far was he from indulging an ungenerous sally at their expense, that it would have been a dangerous experiment in another to have attempted it in his presence. No person, who has not been educated to the profession, can estimate the value, or the almost peculiarity, of this trait of character. But his was a mind originally too grand to found its distinction on the depreciation of his inferiors; and were it even necessary, his spirit was too lofty to stoop to the expedient. He affected no importance from the miserable accident of seniority or station, and laughed to scorn the pretensionless stupidity that sought, like the cynic, an enforced reverence to its rags and its dotage. During the thirty-two years of his professional life, there is not on record of him an unkindness to a junior, an asperity to a senior, an undue submission to overweening power, or a single instance of interested servility. Sincerely were it

to be wished that all his contemporaries had acted towards him with the same generosity which he uniformly evinced. But, alas! there were some who hated him for his talents, some who envied him for his fame; and mean malignity too often led them to depreciate the one and undermine the other. The faults and the foibles to which the very best are subject, were in him observed with an eagle's eye, and held with the tenacity of an eagle's grasp. He was docile even to a fault, often relinquishing his own fine intellect to very inferior guidance. Did a casual indiscretion arise from such docility? it was carefully noted down, recalled periodically, and then religiously returned to the malignant register, to be again declaimed upon when any future exhibition of his genius provoked afresh the hostility of his enemies. Thus the most unfortunate occurrence of his life (his domestic calamity) was made the theme of perpetual depreciation; whereas the fact was, that a misguided and misjudging friendship forced it into publicity against his own inclination. I have often heard him dwell, painfully dwell, on the particulars of that melancholy transaction; and I can avouch it, that no bitterness of recollection ever led him into an ungenerous reflection even upon those who had acted towards him with a very discreditable hostility.

From the portions of Mr Curran's speeches which have been given, an idea may be formed of his general style. It is a mistake to suppose that he either trusted to the impulse of the moment, or was careless as to the graces of composition. A word cannot be displaced in any of his principal passages, such as the description of an informer, or that on universal emancipation, without destroying the euphony of the whole. As this, however, was a moot point, I ventured one day, after dinner at the Priory, to put the question to him directly. "My dear fellow,"

said he, "the day of inspiration is gone by. Everything I ever said, which was worth remembering, my *de bene esses*, my white horses, as I call them, were all carefully prepared." He used to lie awake half the night, he said, sometimes laughing loudly at his own jokes, and sometimes thumping the backboard of his bed, much to the discomfort of the adjoining dormitory. At the same time, it would be doing Mr Curran a gross injustice to assert that he never rose high except from previous reflection. The fact is otherwise. He seldom produced a more powerful impression, or blazed into a more cloudless meridian, than when he was inflamed or exasperated by the opposition of the moment. Of this, the reprisal upon Lord Clare, before quoted, is a prominent instance. It is a very foolish, but a very favourite opinion of some, that the merit of a speech is much diminished by the circumstance of its preparation. But it appears to me just as possible to produce a law argument upon the spur of the occasion, replete with intuitive learning, and fortified by inspired authorities, as any of those sublime orations to which mankind have decreed the palm of eloquence. The greatest orators of antiquity were not ashamed to confess the industry of the closet. Demosthenes gloried in the *smell of the lamp*; and it is recorded of Cicero, that he not only so laboriously prepared his speeches, but even so minutely studied the effect of their delivery, that on one occasion, when he had to oppose Hortensius, the reiterated rehearsals of the night before so diminished his strength as almost to incapacitate him in the morning. Lord Erskine corrected his very eloquent orations, and Mr Burke literally worried his printer into a complaint against the fatigue of his continual revisals. Indeed, it is said, such was the fastidiousness of his industry, that the proof-sheet not unfrequently exhibited a complete erasure of the original manu-

script! Such is the labour of those who write for immortality.

The time was at length arrived when Mr Curran was to resign for the judicial robe the gown which, for so many years, he had worn with dignity to himself, with advantage to his clients, and with honour to the country. Taking now, therefore, my leave of him as a barrister, I do so in, let me hope, the prophetic words of the editor of his speeches, "The bar of Ireland will long hold in affectionate recollection the man who always lived in an ingenuous and honourable intercourse with his competitors for fame, as Cicero did with Hortensius; who never, on any occasion, was frowned by power, or seduced by mean ambition, into an abandonment of his client, but in every situation intrepidly performed the duties of an advocate; who, if he had been a man *quoque facinore properus clarescere*, instead of disdaining to acquire honours by means which would have rendered him unworthy of wearing them, might early in life have attained the proudest professional situation; who cherished with the kindest notice every appearance of excellence in the junior part of the profession; who never ostentatiously displayed his superiority; who, conscious of his great talents, bestowed praise wherever it was deserved, and was incapable of meanly detracting from the merit of another to enhance his own. They will never forget him who on every occasion proudly asserted the dignity and independence of the advocate, and never servilely surrendered the least privilege of the profession;—while his name will live for ever hallowed in the grateful remembrance of his country, unless the heart of man shall become so corrupt and his mind so perverted, that public virtue will neither be felt nor understood."

On his appointment being made known, the bar presented to him the following address:—

"Sir,—In your recent appointment to a high and dignified situation, the just pride of the Irish bar feels itself gratified, that independent spirit, pre-eminent talents, and inflexible integrity have recommended their possessor to the royal favour, and procured his advancement to the bench of justice.

"Yes, sir, we trust that the lustre which shone upon your distinguished progress as an advocate, will beam with a milder but more useful influence from the bench, and that the unbiassed, impartial, and upright judge will be found in the person who exalted the character of the Irish bar by his eloquence, and uniformly supported the rights and privileges of an honourable profession."

MR CURRAN'S ANSWER.

"Gentlemen,—I thank you from my heart for this proof of your confidence and affection. The approving opinion of so enlightened and independent a body as the Irish bar would be a most valuable reward of merit much superior to mine, which I am conscious has gone little beyond a disposition—but I trust an honest and ardent disposition —so to act in my public and professional character as not to be altogether unworthy of the name of an Irishman. Of that disposition I receive your kind commendation with pride. I feel that probity of intention is all that we can be responsible for.

"I am peculiarly gratified by the flattering attestations you are pleased to bestow on my endeavours to support the privileges of our profession. They are vitally and inseparably connected with the enjoyment of constitutional liberty and the effectual administration of justice. The more active part which I may have taken in the defence of these privileges I bequeath to you; but be assured that I bring with me, to the situation where it has been the

pleasure of his Majesty to place me, the most perfect conviction that, in continuing to maintain them, I shall co-operate with you in the discharge of one of the most important duties that can bind us to our country."

When the party with which Mr Curran had so long acted, and for which he had sacrificed so much, at last assumed the government, strange to say, it seemed for some time doubtful whether either his services or his sacrifices were to be remembered. We have it on good authority that, at a private meeting, the question was discussed, and, it is to be regretted, with somewhat of levity, Mr Grattan proposing that he should be made a bishop!* Mr Grattan, however, had no selfish interest in such arrangements, he having uniformly declined any office; and Mr William Ponsonby, much to his honour, saved his friends from the discredit of what must have for ever subjected them to the imputation of ingratitude. Had mere place been Mr Curran's object, he would not have withstood the munificent offers sedulously pressed upon him by his friend Lord Kilwarden; but no temptation could overcome his invincible fidelity. The office which was most congenial to his habits, and which was certainly best suited to his talents, was that of Attorney-General; this was refused, and he was appointed Master of the Rolls, for which he had scarcely a single qualification. To add to his mortification, this untoward appointment led to a disagreement between him and Mr George Ponsonby, a person whom he much respected, and who was then in Ireland the acknowledged head of the party. The facts, as alleged by Mr Curran, were these. In order to induce Sir Michael Smith, the then Master of the Rolls, to resign, it was necessary not only to pension himself, but also his four inferior officers. This Mr Ponsonby guaranteed upon the

* *Grattan's Life.*

part of the Government. The Administration was short-lived; they either forgot or neglected to grant the pensions, and, after their resignation, expected that Mr Curran would defray the eight hundred a-year, to which amount either their neglect or their indolence had caused a deficiency. Mr Curran, of course, refused, and Mr Ponsonby was obliged to make his engagements good out of his own private fortune, or rather out of the four thousand a-year pension, to which his six months' Chancellorship entitled him, from the country. Such an *Irish cry* was immediately raised by the Ponsonby partisans against Mr Curran, that one would imagine his appointment was a mere eleemosynary gift granted out of their great bounty, and not the trifling reward of many a long year's toilsome fidelity. It is no exaggeration to say, that of the entire party there was no man who brought more talent to the cause, exerted it more zealously, or incurred more personal hazard and professional loss, than did Mr Curran by his political consistency. For a long time he despised too much the clamour which had been raised, to condescend to reply. At length, however, he addressed a letter to Mr Grattan on the subject, which was never answered—for the best of all reasons, because it was unanswerable. The defence was very simple. In 1789 a party was formed, by whom it was agreed, that if ever they attained office, Mr Ponsonby was to have the first and Mr Curran the second place in professional advancement. Curran acted ably and honestly. The time came. Mr Ponsonby got the Chancellorship without a shilling personal expense. Curran was promised the next, the Attorney-Generalship: he did not get it; but after the most vexatious delays, he was thrust upon the Equity Bench, *nolens volens;* a situation for which he was altogether unfit. Such an appointment was very far from being any fair return to him, and was both an

insult and an injury to the nation. In the letter alluded to, indeed, Mr Curran has had the candour to confess his own incompetency, while he naturally complains of the broken faith which thus exposed it to the profession. "As to the place itself," says he, "it was the last I should have chosen; it imposed upon me a change of all my habits of life; it forced my mind into a new course of thinking, and into new modes of labour, and that increased labour; it removed me from that intellectual exercise which custom and temper had rendered easy and pleasant; it excluded me from the enjoyment of the honest gratification of an official share of an Administration which I *then* thought would have consisted principally, if not altogether, of the tried friends of Ireland. When the party with which I had acted so fairly had, after so long a proscription, come at last to their natural place, I did not expect to *have been stuck into a window*, a spectator of the procession. From the station which I then held at the bar, to accept the neutralised situation of the Rolls appeared to me a descent, and not an elevation. It had no allurement of wealth; for, diminished as my income had been by the most remorseless persecution for years, by which I was made to expiate the crime of not being an alien to my country by birth or by treachery, it was still abundant when compared with my occasions, and was likely to continue so long as those occasions should last." Such was the place to which Mr Curran was appointed, and for which judicial exposure it was expected he should pay eight hundred pounds a-year, which Mr Ponsonby had promised should be defrayed by the pension list, and even concerning which stipulation he had not previously consulted Mr Curran. In truth, it was not necessary, for Mr Curran had as little to say to the transaction as any other man in the community. His letter is simple and satisfac-

tory. There is a passage in it so exceedingly characteristic, that I need offer no excuse for quoting it, particularly as the letter itself was only printed for private circulation, and is therefore difficult of access. It is indeed a compendium of the entire defence, and is expressed in a strain of bitter jocularity, to which, when Curran had recourse, he was as far as possible from anything like good-humour. He is supposing one of the party to have proposed to him the office under the conditions to which they pretended he should have acceded. "They would speak to me, I suppose," says he, "something in the following manner:—'Sir, you have entered many years ago into a compact; you have observed it faithfully; you suffered deeply by that observance. When the time of performing it to you arrived, it was ratified in London; in Dublin the substitution of something else, supposed to be a performance, was adopted without your privity or consent: the substitution, too, was accompanied by collateral circumstances of much humiliation and disrespect towards you. By unforeseen events that substitution has been attended with some pecuniary charges; it is hoped that, having so patiently borne this, you will take it *cum onere*, and not think it unreasonable to defray those incidental expenses; it is trusted you will have no objection to the mode proposed as unconstitutional or dishonourable. You have a judicial office—all that is required of you is, to accept a lease of that office from the deputy and three inferior officers of your predecessor, at the small rent of £800 a-year: of these four landlords, there will be the former train-bearer, tipstaff, and crier of your court. As the rent must be for their lives, you will see the necessity of insuring your own—or you may redeem the whole for a sum of £8000, if so much personal fortune has escaped the wreck to which you were exposed by your political fidelity; the entire emolu-

ments of your office will then be generously left to your disposal.'"

"He sat upon the Rolls bench about six years. Mr Ponsonby and he were never reconciled; but on the former gentleman's last illness, Mr Curran, who happened to be then in London, left a card at his house.

There was one case, that of "Merry *v.* Power," which went before him as Master of the Rolls, in which his powers as an orator were strikingly contrasted with his deficiency as a judge. One Mary Power by will bequeathed considerable property to the Rev. John Power, a Roman Catholic bishop, and others, in trust for charitable purposes. It came before him on motion to appoint a receiver, and compel the acting executor to bring the effects into Court, during the pendency of a suit to set the will aside on the ground of fraud, and that the bequest, being for *Popish uses*, was void. The following portion of Mr Curran's judgment is in every way characteristic:—

"But I am called upon to interfere, it being a foolish bequest to superstitious, and those *Popish*, uses! I have looked into those bequests. I find the object of them is to provide shelter and comfortable support for poor helpless females, and clothes and food and instruction for poor orphan children. Would to God I could see more frequent instances of such bequests! Beautiful in the sight of God must it be—beautiful in the sight of man ought it to be—to see the dying Christian so employed—to see the last moments of human life so spent in acts of gratuitous benevolence, or even of interested expiation. How can we behold such acts without regarding them as forming a claim to, as springing from a consciousness of, immortality? In all ages the hour of death has been considered as an interval of more than ordinary illumination; as if some rays from the light of the approaching world had found

their way to the darkness of the parting spirit, and revealed to it an existence which could not terminate in the grave, but was to commence in death.

"But these uses are condemned, as not being merely superstitious but Popish uses. As to that I must say that I feel no disposition to give any assistance even to the orthodox rapine of the living in defeating even the heterodox charity of the dead. I am aware that this objection means somewhat more than exactly meets the ear, if it means anything. The objects of these bequests, it seems, are Catholics, or, as they have been called, *Papists;* and the insinuation clearly is, that the religion of the objects of this woman's bounty calls upon me to exercise some peculiar vigour of interference to abridge or defeat her intentions. Upon this point I wish to be distinctly understood. I don't conceive this to be the spirit of our existing law; nor, of course, the duty of the Court to act upon that principle in the way contended for. In times, thank God, now passed, the laws would have warranted such doctrines. Those laws owed their existence to unfortunate combinations of circumstances that were thought to render them necessary. But if we look back with sorrow to their enactment, let us look forward with kindness and gratitude to their repeal. Produced by national calamity, they were brought by national benevolence, as well as by national contrition, to the altar of public justice and concord, and there offered as a sacrifice to atone, to heal, to conciliate, to restore social confidence, and to give us that hope of prosperity and safety which no people ever had, or deserved to have, except where it is founded on the community of interests, a perfectly even and equal participation of just rights, and a consequent contribution of all the strength—of all the parts, so equally interested, in the defence of the whole.

"I know they have been supposed to originate in religious bigotry; that is, religious zeal carried to excess. I never thought so. The real spirit of our holy religion is too incorruptibly pure and beneficent to be depraved into any such excess. Analyse the bigot's object, and we see he takes nothing from religion but a flimsy pretext in the profanation of its name. He professes the correction of error and the propagation of truth. But when he has gained the victory, what are the terms he makes for himself? Power and profit. What terms does he make for religion? Profession and conformity. What is that profession? The mere utterance of the lips—the utterance of sounds that, after a pulsation or two upon the air, are just as visible and lasting as they are audible. What is the conformity? Is it the practice of any Christian virtue or social duty? Is it the forgiveness of injuries, or the payment of debts, or the practice of charity? No such thing. It is the performance of some bodily gesture or attitude. It is going to some place of worship. It is to stand or to kneel, or to bow to the poor-box. But it is not a conformity which has anything to do with the judgment, or the heart, or the conduct. All these things bigotry meddles not with, but leaves them to religion herself to perform. Bigotry only adds one more, and that a very odious one, to the number of those human stains which it is the business of true religion not to burn out with the bigot's fire, but to expunge and wash away with the Christian's tears. Such invariably, in all countries and ages, have been the motives to the bigot's conflicts, and such the use of his victories; not the propagation of any opinion, but the engrossment of power and plunder, of homage and tribute. Such, I much fear, was the real origin of our Popery laws. But power and privilege must necessarily be confined to very few. In hostile armies you find them

pretty equal, the victors and the vanquished, in the numbers of their hospitals and in the numbers of their dead. So it is with nations; the great mass is despoiled and degraded, but the spoil itself is confined to few indeed. The result finally can be nothing but the disease of dropsy and decrepitude. In Ireland this was peculiarly the case. Religion was dishonoured, man was degraded, and social affection was almost extinguished. A few, a very few, still profited by this abasement of humanity. But let it be remembered with a just feeling of gratified respect to their patriotic and disinterested virtue—and it is for this purpose that I have alluded as I have done—that *that* few composed the whole power of the legislature which concurred in the repeal of the system, and left remaining of it, not an edifice to be demolished, but a mere heap of rubbish, unsightly, perhaps pernicious—to be carted away."

In the year 1812, while Mr Curran still presided in the Rolls, a deputation of the electors of Newry solicited him to stand for that borough. He returned to them the following characteristic answer :—

"Gentlemen,—I have just received an address, signed by a number of highly respectable members of your ancient borough, inviting me to offer myself a candidate to represent your town in Parliament. To be thought worthy of such a trust at so awful a crisis as the present, and to receive such an invitation, unsolicited and unexpected, is an honour that I feel deeply and gratefully.

"Gentlemen, I need not trouble you with many words. You know my principles, you know my conduct heretofore. I am not a stranger coming forward to menace or to buy you, in order that I may sell you; nor do I rest my pretension on any contrition for the past, nor any premeditated promise that I will, at some future period, begin to act

honestly by you. From the earliest period of my life, to see this ill-fated country retrieve from her sad condition of suffering and of shame, has been the first and warmest wish of my heart; and warm it shall continue till I myself am cold for ever.

"I know you will not impute it to a want of the most profound respect for you, when I say that I will not personally solicit the vote of any individual. I cannot run the risk of soliciting a suitor in the character of an elector; it would not befit my judicial situation, and I think it would diminish that credit which suffrage, above all suspicion of bias, ought to give to your representative. It will, therefore, be sufficient that I attend you in such time before the election as will enable me to know your farther pleasure.

"I have the honour to be, gentlemen, with a full sense of your confidence and favour,

"Your obedient servant,

"JOHN PHILPOT CURRAN.

"STEPHEN'S GREEN, *October* 8, 1812."

Newry had been a close borough, under the influence of the Needham family. General Needham, Mr Curran's opponent, was described by him as "a gentleman who had the dregs of its population under his feet, and who had, for three Parliaments, been the faithful adherent of every minister; and, upon every vital question, the steady and remorseless enemy, so far as a dumb vote could go, of this devoted island." The contest lasted for five days, and, on the sixth, Mr Curran announced his resignation in an eloquent speech. The wonder, indeed, is, how he could have held out so long, if his description of the constituency be correct. "You saw," said he, "a suc-

cession of poor creatures, without clothes upon their backs —naked, as if they had been stripped for execution— naked, as if they had been landed from their mothers, consigned to the noble General at the moment of their birth, no part of them covered but their chins, as if nature had stuck a beard upon them in derision of their destiny." . . . "One-third of those who have voted against us have been trained by bribes and terror into perjury, when they swore to the value of their qualifications. Some of those houses had actually no existence whatsoever: they might as well have voted from their pasture, and Nebuchadnezzar, in the last year of his running at grass, would have been as competent as they were, to vote in Ireland." Whether such a population should ever have been intrusted with the elective franchise, seems not to be an arguable question. It was making a mockery of a solemn trust, which they could not be accused of having betrayed, merely because they were incapable of comprehending it. Talk of extending the suffrage in that country! In the time of Curran, it was, in fact, an extension of the influence of the landlord. We have seen his description of the constituency then. It is not in any respect overcharged. Is that description applicable now? To the very letter, if you substitute the priest for the landlord. The peasant is as much a slave as ever: the chain that binds him has changed hands—that is all. And so it must continue until he is emancipated from that brutish ignorance which darkens his mind and benumbs his ambition, associating him with the swine, and enslaving him to the priesthood. The fact is notorious and undeniable, and needed not the somewhat incautious boast that Ireland, if so it was willed, should send cow-boys to the House of Commons! It is lamentable to reflect, that every pledge given, and every promise made, previous to the Emancipation Act, should have been

flagrantly and deliberately violated. Still more lamentable is it to reflect, that turbulent spirits, lay and clerical, have ever since been ready to disturb the present peace and frustrate the future prosperity of Ireland. Scarcely had the statute passed which repealed their disqualifications, than they lent themselves to the agitation for the repeal of the Union, a project which has done more to delude, disorganise, and impoverish the wretched peasantry of Ireland than even the Rebellion of 1798. Peace, education, industry, and capital are the four great wants of Ireland; but the demagogue prohibits peace; the priest denounces education; the people, between saints' days and holidays, and the habits produced by them, are trained to idleness, and the importation of capital is death to its possessor. Such is the state of Ireland, and such it has been for the last seven centuries!—the statesman's problem, the Government's opprobrium, the minister's "difficulty!"—and yet, upon a land more fertile or more lovely, on a people more replete with natural intelligence, or in a climate more salubrious, the sun never shone.

Mr Curran, in the speech at Newry, has vividly and rapidly hurried over the existing state of things in Ireland, and the causes in which he supposed them to have originated. "He then," says his reporter, "hastily sketched the dawn of our national dissensions—the conqueror and the conquered; a conquest, too, obtained, like all the victories over Ireland, by the triumph of guilt over innocence: this dissension, followed up by the natural hatred of the spoiler and the despoiled; followed up further by the absurd antipathies of religious sects; and, still further, followed by the rivalries of trade—the cruel tyrants of Ireland dreading that if Irish industry had not her hands tied behind her back, she might become impatient of servitude, and those hands might work her deliverance. To this

growing accumulation of Irish dissension, the miserable James the Second, his heart rotted by the depravity of that France which had given him an interested shelter from the just indignation of his betrayed subjects, put the last hand; and an additional dissension, calling itself political as well as religious, was superadded. Under this sad coalition of confederating dissensions, nursed and fomented by the policy of England, this devoted country has continued to languish, with small fluctuations of national destiny, from the invasion of the second Henry to the present time. And here, let me be just while I am indignant, let me candidly own that to the noble examples of British virtue, to the splendid exertions of British courage, to their splendid sacrifices, am I probably indebted for my feelings as an Irishman, and my devotion to my country. They thought it madness to trust themselves to the influence of any foreign land; they thought the circulation of the political blood could only be carried on by the action of the heart within the body, and could not be maintained from without. Events have shown you that what they thought was just, and that what they did was indispensable: they thought they ought to govern themselves; they thought that, at every hazard, they ought to make the effort; they thought it more eligible to perish than to fail; and, to the God of heaven I pray, that the authority of so splendid an example may not be lost upon Ireland." It was in the same speech that he thus characterised the Union :—

"It was the last and mortal blow to our existence as a nation; a consummation of our destruction achieved by that perpetual instrument of our ruin, our own dissensions. The whole history of mankind records no instance of any hostile cabinet, perhaps of any even internal cabinet, so destitute of all principles of honour or of shame. The

Irish Catholic was taught to believe that, if he surrendered his country, he would cease to be a slave. The Irish Protestant was cajoled into the belief that, if he concurred in the surrender, he would be placed upon the neck of a hostile faction. Wretched dupe! you might as well persuade the gaoler that he is less a prisoner than the captives he locks up, merely because he carries the key of the prison in his pocket. By that reciprocal animosity, however, Ireland was surrendered. The guilt of the surrender was atrocious; the consequences of the crime most tremendous and exemplary. We put ourselves into a condition of the most unqualified servitude: we sold our country, and we levied upon ourselves the price of the purchase. We gave up the right of disposing of our properties; we yielded to a foreign legislature to decide whether the funds necessary to their projects or their profligacy should be extracted from us, or be furnished by themselves. The consequence has been, our scanty means have been squandered in her internal corruption, as profusely as our best blood has been shed in the madness of her aggressions or the feeble folly of her resistance. Our debt has accordingly been increased more than tenfold; the common comforts of life have been vanishing; we are sinking into beggary; our poor people have been worried by cruel and unprincipled prosecutions; and the instruments of our Government have been almost simplified into the tax-gatherer and the hangman. At length, after this long night of suffering, the morning-star of our redemption cast its light upon us—the mist was dissolved, and all men perceived that those whom they had been blindly attacking in the dark were in reality their fellow-sufferers and their friends. We have made a discovery of the grand principle in politics, that the tyrant is in every instance the creature of the slave; that he is a cowardly and a

computing animal ; and that he always carefully calculates between the expenditure to be made and the advantage to be acquired. I therefore do not hesitate to say that, if the wretched island of Man—that *refugium peccatorum*—had sense and spirit to see the force of this truth, she could not be enslaved by the whole power of England. The oppressor would see that the necessary expenditure in whips and chains and gibbets would infinitely counter-vail the ultimate value of the acquisition ; and it is owing to the ignorance of this unquestionable truth that so much of this agitated globe has in all ages been crawled over by a Manx population. This discovery, at last, Ireland has made : the Catholic claimed his rights ; the Protestant generously and nobly felt as he ought, and seconded the claim ; a silly Government was driven to the despicable courage of cowardice, and resorted to the odious artillery of prosecutions : the expedient failed ; the question made its way to the discussion of the Senate. I will not tire you with the detail : a House of Commons, which at least represented *themselves*, perhaps afraid, perhaps ashamed of their employers, became unmanageable tools in the hands of such awkward artists, and was dissolved—just as a beaten gamester throws the cards into the fire, in hopes, in a new pack, to find better fortune."

During this address an incident occurred, perhaps scarcely worth noting, save for the disclosure of a strange peculiarity of Curran's. He had a horror of monkeys, whom he called " revolting and melancholy caricatures of humanity." The very sight of one irritated him ; and hence, when offended, it was the usual epithet which his anger suggested. While he was addressing the electors, an agent of his opponent stood up, and in some way annoyed him by the expression of his countenance. He instantly exclaimed, " Mr Seneschal, I demand of you, as returning officer, that I, a candi-

date, shall be by you protected from being disturbed by the obscene and unnatural grimaces of a baboon!" The speech at Newry is the only one extant which he ever addressed to a purely popular assembly. After he had left the Rolls, I remember his once accompanying me to an aggregate meeting of the Roman Catholics. His reception was such that he was compelled to say something, but he confined himself to the mere expression of his thanks. He was much gratified, and, in allusion to the scene, said next day in the hall of the Four Courts, "Well, O'Connell, I scarcely wonder at your being fond of popularity: it is, undoubtedly, a delicious draught." A solemn Serjeant, who happened to be present, replied, "Well, Curran, I never thought so." "In truth, my dear Serjeant," said Curran, "you're but a bad judge of a liquor *you never tasted.*"

At a time when the abolition of the office of Lord-Lieutenant has been suggested, Mr Curran's view of that post and its operation may be interesting. It is the final extract from his speeches which space will permit, and is well calculated to inspire a desire for more.

"My Lords, it is by the salutary repulsion of popular privilege that the power of the monarchy is supported in its sphere: withdraw that support, and it falls in ruin upon the people; but it falls in a ruin no less fatal to itself, by which it is shivered to pieces. Our ancestors must therefore have been sensible that the enslaved state of the Corporation of the metropolis was a mischief that extended its effects to the remotest borders of the island. In the confederated strength and the united councils of great cities, the freedom of the country may find a safeguard which extends itself even to the remote inhabitant, who never put his feet within their gates.

"But, my Lords, how must these considerations have been enforced by a view of Ireland, as a connected

country, deprived as it is of almost all the advantages of a hereditary monarch? The father of his people residing at a distance, and the paternal beam reflected upon his children through such a variety of mediums, sometimes too languidly to warm them, sometimes so intensely as to consume; a succession of governors, differing from one another in their tempers, in their talents, and in their virtues, and, of course, in their systems of administration—unprepared, in general, for rule by any previous institution, and utterly unacquainted with the people they were to govern, and with the men through whose agency they were to act. Sometimes, my Lords, 'tis true, a rare individual has appeared among us, as if sent by the bounty of Providence in compassion to human miseries, marked by that dignified simplicity of manly character, which is the mingled result of an enlightened understanding and an elevated integrity; commanding a respect that he laboured not to inspire, and attracting a confidence which it was impossible he could betray.* It is but eight years, my Lords, since we saw such a man amongst us, raising a degraded country from the condition of a province to the rank and consequence of a people worthy to be the ally of a mighty empire, forming the league that bound her to Great Britain on the firm and honourable basis of equal liberty and a common fate, 'standing or falling with the British empire;' and thus stipulating for that freedom which alone contains the principle of her political life, in the covenant of her federal connection. But how short is the continuance of those auspicious beams of public sunshine! How soon are they passed!—and perhaps for ever! In what rapid and fatal revolution has Ireland seen the talents and the virtues of such men give place to a succession of sordid parade and empty pretension, of bloated

* The Duke of Portland.

promise and lank performance, of austere hypocrisy and peculating economy.* Hence it is, my Lords, that the Administration of Ireland so often presents to the reader of her history the view, not of a legitimate government, but rather of an encampment in the country of a barbarous enemy; where the object of the invader is not dominion, but conquest; where he is, of course, obliged to resort to the corrupting of clans, or of single individuals, pointed out to his notice by public abhorrence, and recommended to his confidence only by a treachery so rank and consummate, as precludes all possibility of their return to private virtue or public reliance; and, therefore, only put into authority over a wretched country, condemned to the torture of all that petulant unfeeling asperity with which a narrow and malignant mind will bristle in unmerited elevation; condemned to be betrayed, and disgraced, and exhausted, by the little traitors that have been suffered to nestle and to grow within it; making it at once the source of their grandeur and the victim of their vices; reducing it to the melancholy necessity of supporting their consequence, and of sinking under their crimes, like the lion perishing by the poison of a reptile, that finds shelter in the mane of the noble animal while it is stinging him to death."

In the commencement of the year 1813, ill health induced Mr Curran to retire from the bench. On his resignation, the Roman Catholic Board thus addressed him:—

"Sir,—The General Board of the Catholics of Ireland feel it their duty to address you on your resignation of the high office to which your talents were called, and the duties of which you have discharged with the courtesy of a gentleman, the abilities of a lawyer, the dignity of a judge, and the characteristic integrity which has ever dis-

* The Duke of Rutland and the Marquis of Buckingham succeeded the Duke of Portland as Viceroys.

tinguished you. Taking a review of a life devoted to the service of your country, and the cause and interest of public and private liberty, we shall ever hold in proud and grateful remembrance the energy which you displayed in resisting oppression, and defending the rights of the subject and the constitution; the independent spirit with which you met the frowns and seductions of power; the intrepidity with which you vindicated your insulted and maligned country, and the sacrifices which you made at the shrine of public virtue. The freedom and privileges of your profession, so closely connected with those of the public, you upheld both at the bar and on the bench. The first flight of your juvenile genius was a noble and generous defence of an obscure but respectable individual against a lawless assault of tyrannical power. You have uniformly opposed that bigoted, that baneful policy, which impiously tries the principles of man by his religious creed. You have maintained the great and sound principle of religious liberty. A just, a liberal, and an enlightened mind abhors the pernicious system of excluding from equal rights those who contribute equally to the support of the state with their property and their lives: a system which sacrifices the liberty of the country to protect the monopoly of a party, and which, by perpetuating division and discord, saps the foundation of all social intercourse. You, sir, and the other illustrious advocates of Irish prosperity, are well aware that the total extinction of such a system is absolutely essential to the consolidation and permanence of the general strength of the empire. Permit us, therefore, sir, to indulge our earnest hope that your splendid talents, emerging from the eclipse of judicial station, and reviving under that name which has attached the hearts of your countrymen, will again be exerted in the service of Ireland."

MR CURRAN'S ANSWER.

"Gentlemen,—Be pleased to accept my warmest acknowledgments for this flattering mark of your approbation and regard. So far as honesty of intention can hold the place of desert, I can indulge even a proud feeling at this proof of your good opinion, because I have no secret consciousness that can blush while I receive it. I have early thought that the mere fact of birth imposes, by the authority of God, a loyalty to country binding the conscience of man beyond the force of any technical allegiance, and still more devoted and excusable. To our unhappy country I know that this sentiment was little better than barren. However, what I had, I gave. I might have often sold her. I could not redeem her. I gave her the best sympathies of my heart, sometimes in tears, sometimes in indignation, sometimes in hope, but oftener in despondence. I am repaid far beyond my claim; for what reward can be more precious than the confidence and affection of those for whom we could not think any sacrifice too great? I am still farther repaid by seeing that we have arrived at a season that gives us so fair prospect of better days than we have passed. When I view these awful scenes that are daily marking the interposition of Providence in punishment or retribution, that teach rulers to reflect and nations to hope, I cannot yield to the infidelity of despair, nor bring myself to suppose that we are destined to be an exception to the uniformity of Divine justice, and that in Ireland alone the ways of God shall not in his good time be vindicated to man, but that we are to spend our valour and our blood in assisting to break the chains of every other nation, and in rivetting our own; and that when the most gallant of our countrymen return to us laden with glory and with shame, we are to behold them dragging

about an odious fetter, with the cypress and the laurel intertwined. On the contrary, I feel myself cheered and consoled by those indications which inspire the strong hope that the end of our affliction is rapidly advancing, and that we shall soon be placed in a condition where we shall cease to be a reproach to the justice and wisdom of Great Britain. The calumnies of our enemies have been refuted, and have left no impression behind them, save a generous regret that they could ever have been believed. It is with no ordinary feeling of condonation and respect that we should hail the awaking of a nation, formed to be illustrious, from the trance of a bigotry that cannot be refuted, because it does not reason; that, like every other intoxication, stupefies while it inflames, and evaporates only by sleep. It becomes us to congratulate on the recovery, without retrospect to the time it may have cost. Within the short limits even of a year, the spirit of a just and liberal policy has assumed a station that scarcely could be hoped from the growth of centuries. That wise country has learned to see us as we are, to compare our sufferings with our merits and our claims, and to feel that every kind and tender sympathy that speaks to the heart or head of a man in favour of his fellow-subjects, is calling upon her to put an end to the paroxysms of that gaol fever which must for ever ferment and fester in the imprisonment of a nation, and to do it in a way that shall attach while it redresses, and bind a blended empire in the bond of equal interest and reciprocal affection. We are asking for no restorative—the legislature has none to give—we ask only for what is perfectly in its power to bestow—that deobstruent which may enable the human creature, even by a slow convalescence, to exert the powers of his nature, and give effect, by the progression of his happiness and virtue, to the beneficence of that Being which could not have

permanently designed him for the sufferings or the vices of a slave. In your anxiety for the honour of the bar, I cannot but see an auspicious omen of your near approach to the possession of a treasure that deserves so high a protection. Short is the time that has passed since you could not have adverted to that subject without a mixture of shame and anguish, but you can now resort to persons of your own religious persuasion for those great talents for whose purity you are so justly anxious. You are certainly right in thinking the independence of the bar the only unfailing safeguard of justice, and of that liberty without which justice is but a name. It is the equal protection of the people against the state, and of the state against the people. If Erskine had lived in the dark times of the second James, it might have saved his country from the pain of reading the events of those days, when the Court could procure a bench, but the subject could not find a bar. It is with an emotion difficult to describe that I see how easily our hearts are betrayed into an exaggerated estimation of those we are disposed to love. You are pleased to bespeak the continuance of my poor efforts in the cause of Ireland. I cannot without regret reflect how feeble they would be, but I am fully consoled in the idea, that they would be as unnecessary as inefficient. It is still no more than justice to myself to say, that if an opportunity should occur, and God be pleased to let it be accompanied by health, my most ardent affections would soon find the channel in which they flowed so long. A devoted attachment to our country can never expire but with my last breath. It is a sentiment that has been the companion of my life; and though it may have sometimes led to what you kindly call sacrifices, it has also given me the most invaluable consolation. And even when the scene shall come to a close, I trust that sentiment shall be the last to leave me, and that I shall

derive some enjoyment in the reflection, that I have been a zealous though an unprofitable servant."

It was during Mr Curran's occupancy of the Rolls' Bench that I had the happiness of making his acquaintance. It soon became intimacy, and so continued to his death. A higher privilege could scarcely be enjoyed than his society conferred. Its simplicity was its greatest charm. He could afford to discard his greatness, and he did so. There was nothing of the senator, or the orator, or the judicial dignitary, or the superior in any way, about him; but he was Curran, better and greater than all of them combined. Ostentation was a stranger to his home, so was formality of any kind. His table was simple, his wines choice, his welcome warm, and his conversation a luxury indeed. His habits were peculiar—some of them perhaps eccentric. For instance, an old person was scarcely ever seen within his dwelling. I can remember but three, and they were professionally connected with himself or his Court. Although, as has been seen, risking his life recklessly enough, he had an aversion to anything that was associated with death. Hence, the aspect of old age depressed him, while youth's joyousness seemed to revive his own. Of his early bar associates, whose countenances indicated the ravages of time, I never remember one as a guest at the Priory. But it was a daily custom, when his Court had risen, to stroll through the hall, recruiting his dinner company from the juniors. There were seldom more than half-a-dozen, and it was on such occasions he shone to most advantage. No one who did not see him when he was at his best can have any idea of his exquisite companionship. There was undoubtedly a reverse to the medal. He was occasionally the dullest of the dull, weighed down to the earth by some constitutional dejection. He was very far from being a happy man. Social misfortune

aggravated a melancholy which was inherent in his nature. When irritated or discomposed, he could render himself, as I have heard, though I had no experience of it, inconceivably disagreeable. This, however, was rare, and, when he was in one of his happy veins, no one ever equalled him. Lord Byron wrote of him that he had fifty faces: he might have added fifty voices and fifty natures, in the assumption of which he, for the moment, merged his own identity. His powers of imitation were marvellous and irresistible. He was the parish priest, the Munster peasant, the coal-quay fishwoman, the jovial squireen, and the illiterate esquire, each in their turn, and each a fac-simile. He not merely aped the manner, but he either displayed the mind of the individual, or ascribed to him some drollery which much enhanced the humour of the assumption. Thus, when asked by Lord Byron to give him some idea of Mr Grattan, bowing lowly to the ground, he expressed "his gratitude, that neither in person or gesture was he obnoxious to imitation." That great man was composed of peculiarities. In stock stories his treasury was rich, and the perilous attempt to draw on it was generally assigned to me. However, failure was rare. He was too simple to suspect, and too facile to refuse. For instance, when the *vulgar pomposity* of the Mayor of Cork was to be elicited, the wine was tasted, the lips were smacked, and the glass held up scientifically to the candle. "Mr Curran, this strikes me as very fine claret." "O dear! you are very good to say so; it's the red-wax, the best I have. I can't compliment you as my cousin the Mayor of Cork did the Lord-Lieutenant when he was entertaining him: 'Mr Mayor, this is very choice wine.' 'Does your Excellency think so? Why, it *is* good wine, your Excellency, but *it's nothing at all to some I've got in my cellar.*'" And then he followed up his own jest with the short, sharp, dry,

familiar laugh, which he never refused to that of another. When Curran really enjoyed his evening, and the bottle had circulated sufficiently, it was sometimes his custom, when the weather permitted, to adjourn to the gardens. The walk was refreshing, and always preluded grilled bones, and plenty of what in Ireland were then called "THE MATARIALS,"—namely, scalding water, lemon, sugar, and the pottheen—for a definition of which, see Miss Edgeworth. There were always beds for the guests at the Priory—a precaution by no means inconsiderate. When breakfast came, it was sometimes problematical how the party were to return. If all was propitious, the carriage was in waiting; if a cloud was seen, however, the question came, "Gentlemen, how do you propose getting to Court?" Ominous was the silence which ushered in the summons. "Richard, harness the *mule* to the jaunting-car, and take the gentlemen to town!" One of this worthy animal's most favourite pastimes was to carry the company into a pool of water which lay by the road-side! Of course the host knew nothing of the mule's jocularity, and most certainly it never was suggested to him by any refusal of an invitation to the Priory.

Although himself so admirable a mimic, he by no means relished being made a subject. One day being apprised that a gentleman then present personated him to the life, Curran affected to request a performance; entreaty and evasion were more than once repeated, when he terminated the scene: "Well, indeed, my dear W., I'm sadly disappointed. It must be an amusing thing to see a cat running across a piano—and *calling it music.*"

Mr Curran sprang from the people,* and he not only

* Mr Curran was particularly sensitive to any mark of respect or confidence on the part of the lower orders. In one of his little poems he commemorates, with much satisfaction,

"A croppy heifer spared by Holt."

This Holt was an extraordinary man. He was a farmer and dealer in wool,

never forgot it, but was proud of it. His associates were not of the aristocracy, if indeed such a term was applicable to the very arrogant and very ignorant persons who at that time usurped it in Ireland. He heartily despised them. He never was of the Castle or *their set.* Before the Union he was generally in opposition, and after that, the Viceroy appeared to him only as a titled memorial of the country's degradation. He used to talk, indeed, of his poor cottage, as he called it, having been graced by the choicest spirits of the land—not culled, for their birth, from a dull peerage, nor for their possessions from an ignorant proprietary —but from men risen from *the ranks;* from the Duquerys, Yelvertons, and Grattans, whose personal merits "flung pedigree into the shade." There was in his own manner that easy and urbane courteousness which, if not derived from nature, is very difficult of acquisition.

Alienated from the bustle of the bar, and having relinquished the occupations of the bench, Mr Curran's mind

originally keeping aloof from politics. Of a liberal cast of mind, however, he refused to take any part against his Roman Catholic countrymen. This, in such times, was quite sufficient to render him a marked man, and being so, a domiciliary visit was paid to his house on the breaking out of the rebellion of 1798. He was not at home, and the visitors burned the house and property to ashes! Rendered desperate by this, he repaired to a cave in the Devil's Glen, in the county of Wicklow. Here he found some United Irishmen, refugees like himself, and, in the frame of mind in which he was, was easily persuaded to take the oath and become their General. In a week he was at the head of 116 men, and many hundreds afterwards joined him. He became an admirable guerilla chief, and, during six months, kept the whole power of the Government at bay. Well acquainted with the Wicklow mountains, and possessing both skill and intrepidity, Holt proved himself more than a match for the King's officers. At length some noble traits of character which he exhibited induced Lord Powerscourt to open a negotiation with him. Holt consented to expatriate himself to New South Wales, which he did; but soon receiving a free pardon, he returned to Ireland, where he died in 1826. Holt was a very superior man of his class, and proved himself a formidable antagonist. He wrote and published his life. His men, in one of their forays, carried off, with other cattle, a cow of Curran's, whose house was near the mountains. However, when Holt saw the initials "J. P. C." branded on one of the horns, he guessed to whom the animal belonged, and sent it back with a complimentary apology.

began to prey upon itself, and the dejection to which even his youth had been subject grew with his years into confirmed hypochondriasm. This he vainly endeavoured to dispel by travelling. He paid Paris another visit in 1814, but it was only to find that

"Cœlum, non animam mutant qui trans mare currunt."

He saw nothing there but "close, dirty streets, stewing play-houses, and a burning sun," which "completed the extreme dejection of his spirits, and made him fit for nothing." The following letter, which his son kindly permits me to insert, reveals but too distinctly the despondence under which he suffered. It is addressed to our common and most excellent friend, Mr Lube, a member both of the English and the Irish bars:—

PARIS, *August* 3, 1814.

"Dear L.,—I received your kind letter, and thank you for it; 'levius fit,' &c. When I came here I intended to have scribbled some little journal of what I met. I am now sorry I did not—things so soon become familiar, and appear not worth notice; besides, I have not been well since I came here. If I had written and sent it to you, it would have been a tissue of astonishment, or affliction, or disgust. I see clearly I am likely to be drummed out of this sad world. I fear war will soon unfold her tattered banners on the Continent. This poor country is in a deplorable state; a ruined noblesse, a famished clergy, a depopulated nation, a state of smothered war between the upstarts and the restored; their finances most distressed; the military spirits divided, the most opposite opinions as to the lasting of the present form of things—everything unhinged; yet I really sympathise with this worried, amiable, and perhaps contemptible people; so full of talent and of vice, so frivolous, so inconstant and prone to

change, so ferocious too in their fickleness; about six revolutions within twenty years, and as fresh as ever for a new dance. These strange vicissitudes of man draw tears, but they also teach wisdom. These awful reverses make one ashamed of being engrossed by mere self, and examining a louse through a microscope; 'complain of grief, complain thou art a man.'

"I never so completely found my mind a magic-lantern; such a rapid succession of disjointed images! the past, the present, the future possible. One ought not to be hasty in taking up bad impressions, and I need not say that three weeks can give but little room for exact observation; but from what I do see, and learn from others who have seen long and deeply, I have conceived the worst of social Paris. Everything on the surface is abominable; beastlinesses that even with us do not exist; they actually seem in talk and in practice to cultivate a familiarity with nastiness. In every public place they are spitting on your shoes, in your plate, almost in your mouth. Such community of secretions, with, I think, scarcely any exception, is not to be borne. Then the contrast makes it worse; gaudiness more striking by filth; the splendid palace for the ruler, the hovels and the sink for the ruled; the fine box for the despot, the pigeon-holes for the people; and it strikes me with sadness that the women can be little more than figurantes, much more the property—and that a very abused property—than the proprietors, receiving a mock reverence merely to carry on the drama, but neither cherished nor respected. What a reflection if, as I fear, it is true that the better half of the species (for such I really think them when fitly placed) should be so sacrificed! How vile the feeling and the taste that can degrade them from being the real directors and mistresses of man, to be the mere soubrettes of society, gilded and

smart, and dexterous and vicious, giving up all that exalts and endears them in their proper characters of wives and friends, and partners in good and consolers in adverse fortunes! Even before the revolution, manners were bad enough, but many causes since have rubbed off the gilding; the banishment of the nobles, the succession of low men to power; and, more than all, the elevation of plebeian soldiers to high rank, promoting of course their trulls to a station where manners and morals were under their influence; and this, added to the horrible example set by Buonaparte himself in his own interior, putting everything honest or sacred out of countenance and out of fashion. Add to this, what must have sent down the contagion to the lower orders—the conscription; the wretched men marrying without preference, merely to avoid the army, and then running into that army to escape from their ill-chosen partners: all these causes must have conspired to make a frightful carnage in manners, and morals too. In short, I am persuaded that a single monster has done more to demoralise and uncivilise this country than a century can repair. I am disposed to attribute to the same causes the growing fanaticism of England. In Ireland we had little to lose in civilisation; but look at our late extravagancies, and see at least how much we have lost in our own and in the opinion of others. For years to come I see no hope; we have the anguish of being ourselves the cause of not going forward a little in the march of the world, but of still remaining a bye-word among nations. Patriotic affectation is almost as bad as personal, but I declare I think these things do a good deal in sinking my health, which is far from good; my spirits quite on the ground; and yet as to Ireland I never saw but one alternative—a bridewell or a guard-house; with England the first, with France the other. We might have a mollification, and the bolts

lightened, and a chance of progression, but that I now give up.

"I really wish the thing with myself over; and, trust me, that wish is not irreligious or peevish, but rather a good-humoured feeling that, not wishing to eat more, I may be better by rising from table: 'enough is as good as a feast.'

"I am every hour more and more confirmed as to my ideas of society. It is not for those that think or feel—it is one fool getting on the back of many to fly from himself. In France you can scarcely make even that experiment; for all here agree that, at the present moment, all society is dead. Nor is it wonderful that, when all the actors on the great scene are changed, the parts should be badly performed; but still I have found society, as it is called, and met a great deal of kindness, and some persons of talent; but, even there, I found society an orchestra, where the fiddlers were putting one another out, or rather where one played a solo, and every other bow was scraped.

"At this moment my friend enters; he differs totally from my opinion, saying, 'I have lived single in a great city; few friends, many acquaintances. I think I have done right, and shall continue. Sameness would cloy. How many happy matches have you seen? How many faithful friendships? Too much intimacy lays you bare; your little infirmities diminish respect, perhaps excite disgust, perhaps end in hatred. With the same persons, and those few, what chance of having yourself, or finding in them, the attachment, the good temper, and good sense, necessary for bearing and forbearing? You have complained of having been spit upon, but you can easily curse them, make a polite bow, and go away, but that would be no cause for breaking a closer attachment. Are you not

conscious that you have observed, since we have been so much together, some faults in me not observed before? Have you no suspicion of reprisal?' All this I treated as misanthropic cant: he retorted on me. 'What is your select attachment but general intolerance? What is this syrup of concentrated affection but extract from the wormwood of embittered irritability? When has any man ever found the male or the female inmate always equal, patient, and amiable? Or even suppose it, will not sickness or death rend the bond, and leave you or them in a desert? As to me, I can bear almost everybody—the gravedigger I laugh at. I cannot weep over myself when I'm gone, and I will not over anybody else.' He pressed me to say if I seriously thought there was nothing in these topics. I told him I had frequently been presented with them before, but was not exactly in a frame for an *ulterius concilium*. In truth, it was rather memory awakened than opinion shaken that made me disposed to silence; but of this enough for the present.

"I found myself all abaft. We agreed to go to *la Chambre des Députés*. One of the members chanced to have heard of my name, was extremely courteous, lamented that I should be a mere auditor, but he would take care that I should be placed according to my high worthiness. We were accordingly placed *aux premières tribunes*. The question was to be of the liberty of the press, and of a previous censorship. The Baron had some difficulty in working us forward, and said how happy he was in succeeding. I assured him I was greatly delighted by the difficulty, as it marked the just point of solicitude of the public. The chamber is very handsome. The president faces the Assembly. Before him is a tribune, which the orator ascends, and reads his speech with his back to the president. We waited anxiously. I thought I shared in the throb of a public heart. We observed some bustle.

The seats of the interior, reserved for the members, became crowded to excess by ladies, admitted I know not how. The order for strangers to retire was read—the ladies would not stir. The president could find no remedy, and adjourned the House to next day. I was rather disgusted. The Baron asked me what we would have done in England? I said we had too much respect for our ladies to permit them to remain. He shook his head. I did not understand what he meant. But does not this prove what I said a day or two ago (for this is written by starts) to be true, 'that women here have only a mock respect?' If real, would they have dreamed of such a silly termagancy? Does it not mark their unfeeling coxcombry and apathy in the public interest, and how fit they are to be the mothers of the Gracchi? And yet women here are vain of their sway. I can imagine nothing more humiliating than such Saturnalian licentiousness.

"However, I went next day. There was a previous list of the orators, *pro* and *con*. They mounted alternately, and read written speeches. The echo was strong; I lost much. But how can any man read his own speech? He may the speech of the dead or the absent. It is anything but discussion. The orator swabs his face, notwithstanding the sedateness of the exertion, and when he stops to drink, which is a part of the performance, the whole Assembly handle their kerchiefs, and trumpet in the most perfect time and unison, to the great animation and interest of the speech, and no doubt to the great comfort of the auditors, who must have had their secretions brimful during their attention. The question will not probably be decided in many days. The press is surely the great sentinel—it gives the light to see and the tongue to speak. They say the Russians always eat the candles before they swallow the people. I can't tell you how

interested I am. I begin to doubt if man ought to be monopolised, or his taper, however dim it may be, put under the bushel of mere private confined affection. Some, it seems, are afraid of the sudden mischiefs that might arise among a volatile people if restraint were removed too soon. I own it never was my notion, but I know not how far these fears may be real or feigned. Such is the fate of revolutions—nothing certain but blood. The march of the captives begins through a red sea, and after forty years in seeking new abodes and strange gods, the leader seldom sees the promised land, or, at least, dies before his foot has touched it. What is it—here at least—but the succession of wretches doing the duty of the hangman, till it is the turn of each to be the victim? These thoughts often console me. My dear friend, we must stay as we are, but let us look at the history of the past, and the acts of the present men, and learn to be patient and modest.

"You can't forget my hatred of Buonaparte; everything I hear confirms it. When I went up to see his famous column at Boulogne, the poor muse I thought was left behind whispered at the moment—

> "When Ambition achieves her desire,
> How Fortune must laugh at the joke!
> You mounted a pillar of fire,—
> You sink in a pillar of smoke."

I am greatly pleased to have this man's extinction marked by so much abject degradation. These butchers and robbers, called conquerors, have kept their vices up by the splendour of their rise or fall; but what a fall has this man had! He retires, instead of falling like a brave highwayman, or as Catiline did; he dwindles into an icicle, and plays the pitiful tricks of power among fishermen and washerwomen. After losing the game of the world, he sits down like a child to make castles with cards. Even

his military talents are questioned. They say that having no respect for property or person, he extorted such sums of money and thousands of men, as made resistance physically impossible, even notwithstanding an infinite number of mistakes of head and violences of temper; but here, you know, I am speaking without book. Still he had laid hold of the gaudiness of many, and is talked of with regret; but his rising again is, I trust in God, impossible. I do believe the present rulers mean very well, though the King has none of the vices that might recommend him here. I believe he is well taught in the school of adversity, and has a respect for whatever is good and honest. Whether he be bigoted I don't know. An attempt was made to shut the shops on Sunday, and to carry the Host in procession, but both failed; they were, however, desisted from with great temper.

"I now regret that I did not throw upon paper the things that occurred every day. I have often regretted the omission. I would advise you to keep a journal of that kind; it will cost very little trouble, and will have the freshness of being ready gathered, not faded by forgetfulness, and cold and laboured recollection. Even while I have been scribbling this, many incidents, that glowed with life at the moment, have so lost their life, that though I rolled them they threw up nothing but water, and would be rotten before they could reach you, so I ceased all attempts to revive them. I had twenty things, the first few days, to say of my host and his wife, and his daughter. It seems they fled to Lubeck at the first horrors of the revolution, and the children were born there; the girl, I thought, seemed to have a good opinion of me, and I thought her good taste ought to make amends for her want of beauty, and certainly she had brought a very scanty viaticum of charms from the north. About the end of

the first week, meaning to be very sweet, she assured me I had the best English accent she ever heard, and that it was exactly the same as that of her English master. During this chat, in marches this teacher. The scoundrel is a German, who went to London at five-and-twenty, and returned, after four years, to teach the purity of their language in Paris. Poor girl! I turned her regimentals at the moment, and remanded her to her ugliness. However, all is well, for she knows nothing of the crime, or the sentence, or the pardon. The father and mother are very good sort of people, and have saved me from some small impositions, for really nothing can be so shameless and abject as the frauds upon strangers. Even at the coffee-house where I breakfast, the keeper of it—a very genteel woman—makes me almost every day pay a different price for the same thing. It is still only fair to say, the French are the civilest people upon earth, and I really believe sincerely good-natured to strangers. Two nights ago I was overtaken by the national guard; I asked the officer my way; he answered so courteously, that I ventured a question or two more; he continued the same good nature, and the private next behind him assisted in doing the duties of hospitality. I said I was afraid he had led me to pass the line of respect to him; but his answer was, and in the kindest tone, 'Sir, a stranger *comme il faut* can never pass it in France.' I doubt if I should have found it so in England. Apropos! I am quite sure the two nations hate each other as devoutly as ever; and I think their respective imperfections of character will be kept alive by the mutual spirit of contempt. Paris will think it graceful to be volatile as long as London thinks it dignified to be dull. J. P. C."

He also frequently visited both London and Cheltenham,

and it was my good fortune generally to accompany him. On one occasion, however, having preceded him to town, he very kindly offered me the following letter of introduction. I insert it, not merely as my credential to the reader, but because I cherish it as a precious and flattering relic of a friendship which was the honour and happiness of my youth.

"11*th October* 1816.

"My dear friend,—You know how squeamish I am of introducing. I do not make any attempt of that kind, for the bearer is Charles Phillips, whom you well know already, and I am paying a compliment to my own vanity by giving him this, as it tells two things I am proud of; one, that I know him, the second, that you are so good as to know JOHN P. CURRAN."

This at once gave me a passport to the splendid hospitality of Mr Perry, the able proprietor of the *Morning Chronicle*, whose sumptuous board made me recollect the saying of Mr Tierney when seated at it: "I see now, Perry, how much better it is to publish speeches than to *make them.*"

During Mr Curran's visits to London, he occasionally, but not habitually, mingled in the political and literary society of the day. He was not fond of crowded rooms; his taste was rather a select circle of perhaps half-a-dozen, and those, if possible, intimates. Amongst the most remarkable whom he encountered—there is no other word for it—was Madame de Stael. Of this celebrated lady he gave me rather an extraordinary idea. After he had once or twice met her in society, she requested an interview with him at her residence on a particular day. "I waited on her," said he, "as bound in gallantry so to do; and on being shown into her drawing-room, she desired that

no one else should be admitted. 'And now, Mr Curran,' said she, 'on the reply you make to me, I apprise you our future intercourse must depend.' This was rather startling, but you may imagine my amazement when she commenced reciting a kind of indictment against my character! Ay, with due emphasis and little reservation, believe me. There was not a single item in the scandalous account which calumny had fabricated against me with which she was not perfectly familiar. Every misfortune of my private life, and every aspersion on my public conduct, she poured forth with a most marvellous volubility. The audacity of the whole procedure almost stunned me. I was at first inclined to plead to the jurisdiction and make my bow, but then I remembered she had a tongue, and I saw how she could use it, so I entered on the defence." He then recapitulated, *seriatim*, the charges she had made and the exculpations he had essayed. How any person, and especially a female, could have originated such a discussion, seems inexplicable. Her oration, as he gave it, and his reply, occupied fully half-an-hour. The allegations on which she entered were coarse and cruel in the extreme—the sweepings of the Dublin streets for thirty years preceding, furnished, no doubt, by some of the party scavengers who sedulously collected them. However, in this instance, it was labour lost, as the lady pronounced a verdict of acquittal.

I had once myself an opportunity of seeing him suddenly put on his defence, and by one of the fair sex also. We were walking together in a public thoroughfare, when a lady, confronting and impeding us, thus commenced: "Mr Curran, I really am of opinion that you might be better employed than in vilifying me and my boarding-house." "Madam," said Curran, "I know well that I have many sins to answer for, but, before heaven I protest,

the having wasted a word upon yourself, or a thought upon your boarding-house, will not be found in the catalogue," and he bowed himself away.

With Lord Erskine, his celebrated rival at the English bar, he was in habits of intimacy. He had a very high respect for his powers, but, aware of the comparison which the world naturally instituted between them, he rather avoided the topic. His Lordship, it is said, once provoked a sarcasm from Curran: very unusual indeed, for his wit was not ill-natured. It was a few years after the Irish Union, and immediately after Mr Grattan's *debut* in the Imperial Parliament. The conversation after dinner naturally turned on the very splendid display of the Irish orator. Lord Erskine, as Curran imagined, exhibited rather an uncalled-for fastidiousness, and of Mr Grattan's fame he was almost as jealous as of his own. The conversation proceeded. "Come, come," said his Lordship, "confess at once, Curran, was not Grattan a little intimidated at the idea of a first appearance before the British Parliament?" The comparison galled Curran to the quick. "Indeed, my Lord, I do not think he was, nor do I think he had any reason. When he succeeded so splendidly with so eloquent and so discriminating a body as the Irish House of Commons, he need not have apprehended much from any foreign criticism." "Well, but, Curran, did he not confess he was afraid, no matter what might be the groundlessness of his apprehensions—did you not *hear him* say so? Come, come," continued his Lordship, a little pertinaciously. "Indeed, my good Lord, I never did. Mr Grattan is a very modest man—*he never speaks of himself*," was the sarcastic and silencing rejoinder. It is well known that Cicero, and not Grattan, was Lord Erskine's model in this particular.

Some time afterwards, they met at the table of an illus-

trious personage. The royal host, with much complimentary delicacy, directed the conversation to the profession of his celebrated visitors. Lord Erskine very eloquently took the lead. He descanted in terms which few other men could command on the interesting duties of the bar, and the high honours to which its success conducted. "No man in the land," said he, "need be ashamed to belong to such a profession. For my part, of a noble family myself, I felt no degradation in practising it: it has added not only to my wealth but to my dignity." Curran was silent, which the host observing, called for his opinion. "Lord Erskine," said he, "has so eloquently described all the advantages to be derived from the profession, that I hardly thought my poor opinion was worth adding. But perhaps it was—perhaps I am a better practical instance of its advantages even than his Lordship—he was ennobled by birth before he came to it, but it has," said he, making an obeisance to his host, "it has, in my person, raised the *son of a peasant to the table of his Prince.*" Nothing, perhaps, could be more dignified than the humility of the allusion. But Mr Curran had too great a mind not to feel that he was in fact ennobled by the obscurity of his origin. The accident of birth is surely no personal merit of its possessor; and, too true it is, that the pure fountain of hereditary honour too often flows through a polluted channel. Between these two great contemporary rivals, a comparison has been often instituted. It is perhaps scarcely admissible. There was very little in common between them: they were rather to be contrasted than compared. Each had his own peculiar merits, and each did honour to his profession and his country. The following playful description, by Byron, is amusing and truthful, though, as the reader has already seen, he altered his opinion much in Mr Curran's favour.

The noble poet is enumerating the guests at a dinner party.

"There also were two wits by acclamation,
Longbow from Ireland, Strongbow from the Tweed,
Both lawyers, and both men of education;
But Strongbow's wit was of more polished breed:
Longbow was rich in an imagination,
As beautiful and bounding as a steed,
But sometimes stumbling over a potato,
While Strongbow's best things might have come from Cato.

"Strongbow was like a new-tuned harpsichord;
But Longbow, wild as an Eolian harp,
With which the winds of heaven can claim accord,
And make a music either flat or sharp.
Of Strongbow's talk you would not change a word;
At Longbow's phrases, you might sometimes carp:
Both wits—one born so and the other bred—
This by the heart—his rival by the head."

In the autumn of 1816, I accompanied him to Cheltenham, for the purpose of consulting Sir Arthur Brooke Faulkener (a friend and physician whom he much valued) on the state of his health. During this visit, though at times depressed, he occasionally rallied, and even went a little into society.

I had introduced him to two very lovely and accomplished sisters, who have since gone to increase the treasures of the East. After passing an evening in the enjoyment of conversation rarely to be met with, he said to me, "I never saw such creatures: even to my old eyes, it is quite refreshing to see *the sunshine of genius flying over their beautiful countenances.*"

On the walk, one morning, we met an Irish gentleman, who certainly most patriotically preserved his native pronunciation. He had acquired a singular habit of lolling out his tongue. "What can he possibly mean by it?" said I to Curran. "I think it's clear enough," said he, "*the man's trying to catch the English accent.*"

On another occasion, passing a person whom he much disliked, he said, "Observe that solemn blockhead—that pompous lump of dulness. Now, if you breakfasted and dined with that fellow for a hundred years, you could not be intimate with him—he would not even be seen to smile, lest anybody might suppose he was *too familiar with himself!*"

Curran used to relate a ludicrous encounter between himself and a fishwoman on the quay at Cork. This lady, whose tongue would have put Billingsgate to the blush, was incited one day to assail him, which she did with very little reluctance. "I thought myself a match for her," said he, "and valorously took up the gauntlet. But such a virago never skinned an eel. My whole vocabulary made not the least impression. On the contrary, she was manifestly becoming more vigorous every moment, and I had nothing for it but to beat a retreat. This, however, was to be done with dignity; so, drawing myself up disdainfully, I said, 'Madam, I scorn all further discourse with such an *individual*.' She did not understand the word, and thought it, no doubt, the very hyperbole of opprobrium. 'Individual, you wagabone!' she screamed; 'what do you mean by that?—I'm no more an individual than your mother was!' Never was victory more complete. The whole sisterhood did homage to me, and I left the quay of Cork covered with glory."

The last winter which he was to pass in London now arrived, and there, however reluctantly, my professional avocations compelled me to leave him. In the course of the season he attended several public dinners, and spoke at some of them. But, alas! *quantum mutatus ab illo!* The *mind* was manifestly going. His feeble efforts were but the flickerings of that glorious intellect which once shone so brightly and so steadily. In the summer of

1817, he returned to Ireland for the last time; and in the September of that year again joined me at Cheltenham, under what mental disquietude the following letter, written a few days before to a friend there, will evince much better than any words of mine :—

"My dear friend—You'll think me a sad fellow—so I think too. However, you are too clear-sighted in diagnostics not to see the causes of my being so low-pulsed a correspondent. The truth is, I was every day on the point of leaving a country *where folly and suffering were lying like lead upon my heart;* and in the mean time I could only make one communication the most unnecessary in the world, namely, that I never suspend the respect and solicitude which I always feel for you, and to which you are so well entitled.

"Now I think you may look to a call at least. I may not be able, perhaps, to linger long, but I could not find myself within shot of you, without coming mechanically to a *present* and a *snap*, even though it should be no more than a *flash in the pan.* I had hopes of seeing your brother, but he has deceived my hope. As to *Hope* herself, I have closed my accounts altogether with her. Drawing perpetually upon my credulity, I now find her, too late, an insolvent swindler. Meantime my entire life passed in a wretched futurity—breathing, I may say, in the *paulo post futurum:* I have happily, however, found out the only remedy, and that is, *to give over the folly of breathing at all.* I had some hope for this persecuted country, but that, I fear, is over. If our heads were curled like the Africans, I suppose we should go snacks with them in the justice and sympathy of that humane and philanthropic nation of yours; but if her tears of commiseration should make the hair of the Africans lank like ours, I make no

doubt but you would send a coxcomb or two politically and madly like ——— and ——— * to Ireland.—Ever yours, J. P. CURRAN."

His short stay at Cheltenham could scarcely be called existence. During that time he was with difficulty induced to pass the week of the Gloucester musical festival at Hyhnam Court, near that city. Here he became quite restless and unmanageable. Music, of which he had been so passionately fond, only irritated and incensed him. All of a sudden, at one of the morning performances at the Cathedral, he took it into his head that the whole proceeding was a blasphemy, and insisted on elbowing himself out through the aisle! Remonstrance was in vain. "I'll stand it no longer!" he exclaimed, while all eyes were turned towards him; "it's shameful—it's sinful—just hear him—the black, odious —— baboon, yelling out that 'the Lord is a man of war.' I'll not countenance it"—and away he went! Nothing whatever could induce him again to enter the Cathedral, and he abruptly returned to Cheltenham on the next day, whither, under the circumstances, I felt it a duty to follow him. He had had, it seems, some premonitory symptoms in the spring of the year, at which his physicians felt no alarm, but which greatly added to his own depression. It was but too clear, however, that nature was almost exhausted. He fell asleep in the daytime, and even after dinner; and when he awoke, it was to thoughts of sadness. It was in this frame of mind that he once said to Mr Grattan, "I begin to tremble for Ireland. I almost wish to go to Spain, and borrow a beard, and turn monk. I am weaning off my early affections, and almost wish the gravedigger would

* I have left an hiatus here, out of my high respect for the Attorney-General.

overtake me in another country." He was perpetually fancying things which never had existence, and misinterpreting those which had. He told me he was dying; and indeed, to show how firmly the mournful presentiment was impressed upon his mind, the very night preceding his departure for town, he handed to Lady Faulkener the following impromptu, written in pencil on a page of paper which lay accidentally before him :—

" For welcome warm, for greeting kind,
Its present thanks the tongue can tell;
But soon the heart *no tongue may find*—
Then, thank thee—with a sad farewell."

Poor fellow! little did I then think that, in a very few days, I was to see the verification of his forebodings! The heart, indeed, was still beating, but the tongue—that tongue so eloquent—was mute for ever. On Wednesday, the 8th of October, I called on him at his lodgings in Brompton. One of his eyes was swollen, and partly closed; but so little was it heeded, that he asked me to dine with him on the day following, to meet Mr Godwin. It was, however, alas! a fatal premonitory symptom. At eleven o'clock at night he wrote the following note to me —*the last he was to write!* It is remarkable that there is not a superfluous word in it. In fact, he was struck with apoplexy in two hours after.

" Dear Phillips—Just got a note : Mrs Godwin is sick; he'll dine here Sunday. If you prefer an invalid, come to-morrow—You'd be more gratified on Sunday. *Utrum horum?*—Yours, J. P. CURRAN.

" *Wednesday.*"

This note I received, at my hotel, at seven o'clock on

Thursday morning, and, with it, the mournful intelligence of what had occurred. I hastened at once to Brompton, and, alas! what a spectacle awaited me! There he lay upon the bed of death—scarcely breathing—one eye closed, and one side quite inanimate. And this was all that now remained of CURRAN—the light of society—the glory of the forum—the Fabricius of the senate—the idol of his country. The only symptom of intelligence he gave, was his squeezing my hand when I asked if he recognised me. A few days afterwards, he seemed conscious of the presence of one of his oldest and most valued friends, the late Judge Burton. All that filial piety could do, aided by the most eminent of the faculty,* to alleviate his sufferings, was done. At seven o'clock on the evening of the 14th of October, I saw him for the last time: at nine we lost him. He expired at 7, Amelia Place, Brompton, in the sixty-eighth year of his age.

On Curran's death becoming known, Mr O'Connell, who was then at Bath, wrote to me the following very curious and characteristic letter. Those who remember the monster meetings of an after day, will smile at the recruiting arrangements suggested for the funeral.

"BATH, 16*th October* 1817.

"My Dear Charles,—I got letters from both the Currans yesterday, containing the melancholy intelligence of their father's death. I will go up to the funeral the moment I hear from you or them. William, in his letter, promises to write again, this day. What a man has Ireland lost! His utility, to be sure, was in his *very* latter days neutralised by illness and absence; but, what a man was he! Of *all*—the *only* incorrupted and faithful. . . . There is a loneliness and a heaviness over me

* He was attended by Drs Badham and Ainslie, and Mr Tegart.

when I think of this great man whom we have lost. Charles, there never was *so* honest an Irishman. His very soul was republican Irish. Look to his history in 1778, in '82, in 1798—at the Union—at all times—in all places. Look to it, my dear friend—even for your own sake, but, above all, for his: you must erect a monument to both.

"Write to me the moment you receive this letter, and just say how long I can remain here, and be *in full* time for the funeral. All the Irish in London, of all classes, must be invited. The upper ranks by cards—the lower, thus:—A printed bill must be sent to all the public houses resorted by the working Irish, to mention the hour when the funeral will commence, and to request that all persons will fall in, two by two, as they arrive, at the remote end of the procession. I think it would be as well that all persons were required to wear a shamrock. Perhaps this may be said to be too fantastical; but I think it would be well. On *his* coffin should be laid a broken harp and a wreath of shamrock. I rather think there should be a committee formed to make arrangements. Whether I go to town, or not, on Saturday, or wait until Monday, will depend on young Curran's letter of this date. It would affect you to see how sensibly my little girls feel *his* death. There have been some wet eyes, I promise you. Remember me most kindly to both the Currans, and believe me always,—Your most sincere friend,

"DANIEL O'CONNELL."

The italics in the above letter are those of the writer. The seal is remarkable: an Irish *crown*, surmounting a shamrock, and underneath, an Irish motto.

As it was supposed that Mr Curran's will might contain directions as to his interment, that ceremony was neces-

sarily delayed, that the fact might be ascertained. It was found to be silent on the subject; and Mr John Franks, the only one of the four executors then in London, decided that the funeral should take place there, and should be strictly private. It accordingly did so, on the 4th of November 1817, and was attended by such members of his family as were then in town— by Messrs Tegart, Lyne, Godwin, Thomas Moore, Finnerty, Thompson, the Rev. George Croly, and myself: Mr O'Connell had been unexpectedly summoned to Dublin. I thought, at the time, that our excellent friend Franks (still surviving, a retired Indian Judge) was right. Such men need not the ceremonials of the tomb; history is their natural monument, and their country the most honourable mourner:— to their care with a melancholy confidence I now consign him, fully assured, that when the slaves who revile him shall be neglected dust, the wisdom of posterity will respect the name, and its patriots weep over the memory of CURRAN.

Thus terminated the previous editions of this work. In twenty-three years, however, after Mr Curran's death, a committee of gentlemen in Dublin, much to their honour, instituted proceedings, of which the following resolution and correspondence contain the official account:—

"CEMETERIES OFFICE, DUBLIN, *Nov.* 17, 1834.

LAURENCE FINN, Esq., in the Chair.

"Mr Dolan having reported that Mr William Henry Curran has, through Mr Carew O'Dwyer, M.P., communicated his consent that the remains of his illustrious parent, John Philpot Curran, be removed from Paddington Church to Prospect Cemetery—

"*Resolved*—That the chairman do address a letter to

Mr Curran, expressing the grateful thanks of the committee for his kind communication, and requesting him to name a time when it will be his convenience to receive a deputation from the committee to confer on the subject.

"Sir,—I have the honour to enclose the minute of a resolution which passed unanimously at a meeting of the burial-ground committee on Monday the 17th instant. In pursuance thereof, I beg to be informed when it will be your convenience to have the proposed conference, taking the liberty of suggesting, that you will be so kind as to allow the intervention of a day between the date of your answer and the period of meeting, to enable me to communicate with the gentlemen of the committee, with a view to their attendance. I beg to say, that I feel highly honoured to be the medium of a communication which will have the effect of redeeming Irishmen from the reproach of insensibility towards the memory of a patriot, who in the reign of terror was the fearless and intrepid asserter of the liberties of his native land.

"I have the honour to be, Sir, your obedient servant,

"LAURENCE FINN.

"WILLIAM HENRY CURRAN, Esq."

MR CURRAN'S ANSWER.

"HOLLES STREET, 23d *Nov.* 1834.

My Dear Sir,—I have the honour to acknowledge the receipt of your letter of the 18th instant, enclosing a copy of the resolution of the burial-ground committee relative to the removal of my father's remains from Paddington Church to Prospect Cemetery. My friend, Mr Carew O'Dwyer, has kindly undertaken to assure you that my want of promptness in replying to your communication has not been an act of intentional discourtesy. Permit

me now to express, through you to the committee, my full sense of the feeling on their part which dictated that resolution, and also to offer to yourself my thanks for the cordial terms in which you have made me acquainted with it.

"I feel that it would not be reasonable in me to put the gentlemen composing the committee to the trouble, so kindly proposed by them, of formally waiting upon me; and, if they will so permit, I will confine myself to assuring them, in this form, that their object has my entire consent and concurrence.

"At the period of my father's death, it was very much upon me that the duty and responsibility of disposing of his remains devolved upon that occasion. I was not without a natural anxiety in reference to him, not merely as a departed relative, that the land of his birth should be his final resting-place; and I further was assured that this feeling could not be indulged to excess in respect of one who, having risen from the people, and lived in dishonest times, had firmly, and to the end, resisted every temptation to turn upon those from whom he had sprung; thereby establishing for his memory in the hearts of his countrymen a strong and general wish, amounting to a right, that what remained of him should be among them.

"But difficulties, some of them legal ones, and needless now to be specified or disclosed, intervened; and, accordingly, acting at the time to the best of my judgment, but sorely against my feeling as his son and countryman, I acquiesced in the arrangement by which his remains were committed to their present place of deposit. I did it, however, under the persuasion that the deposit there would be only temporary, and the particular place was selected with a view to the facility of removal, whenever it might be demanded by his country.

"Believe me, my dear Sir, yours, very faithfully and obliged, "WILLIAM HENRY CURRAN.

"LAURENCE FINN, Esq., Bishop Street."

The following letter from my excellent friend Mr Carew O'Dwyer, the late member for Drogheda, to whose kindness I am indebted for these interesting documents, renders all further detail on this subject unnecessary :—

"My dear Phillips,—The project of the removal of the remains of Curran from England, accomplished so honourably by a public body, originated with myself. I suggested to an association that had been established, under circumstances of great interest, their peculiar fitness to undertake the duty of restoring the honoured remains to their native land. I say peculiar fitness, for this reason: The cemetery committee to which I refer was thus established:—Before the year 1829, and when party and religious feeling had prevailed to a deplorable degree in Ireland, a Roman Catholic of respectability, whose family burial-place was in a graveyard attached to a Protestant church, died, and his remains were attended to the grave by a vast concourse of his friends, and by a clergyman to perform the customary ceremonies of the Catholic church. The graveyard being, in point of law, the freehold of the parson, this functionary enjoyed a high proprietary right, and the reverend gentleman thought fit to interrupt the priest, who was in the performance of his religious duties. This unseemly occurrence produced great public excitement, which subsequently led to a legal enactment, introduced by Lord Plunket, regulating and modifying the power so offensively used in this case; but, *è ossibus ultor*, the public indignation demanded vengeance for this act, and it was accordingly

taken. The Catholic Association, then a powerful confederacy, voted a sum of money for the establishment of a cemetery, in whose constitution there should be no principle of religious ascendency; and, accordingly, the cemetery committee sprang into existence. The catacombs of the Established church no longer received Catholic tenants. Magnificent burial-places—in which the dust of Protestants and Catholics might mingle, sanctified too by the ceremonials of the faith in which the followers of each religion had lived and died—were established in the metropolis; and with funds raised from the operations of this scheme, the cemetery committee, amongst other honourable works, undertook the pious duty of transferring the remains of Curran to Ireland. This was attended with some difficulty, and considerable expense. It was necessary to obtain a Faculty from the Consistorial Court to warrant the proceeding. The body, however, being exhumed, and the necessary arrangements having been accomplished under the direction of an eminent undertaker, with the consent of the late Alderman Sir M. Wood, it was removed to his house in George Street, Westminster, where it lay for one night, I think, and was then transferred to Ireland, in charge of a worthy man deputed to superintend the arrangements; and being, on its arrival, received by Mr W. H. Curran and Mr O'Kelly, a zealous member of the committee, was deposited temporarily in the mausoleum at Lyons, the residence of Curran's intimate friend, Lord Cloncurry; and it was finally removed, attended by W. H. Curran, John Finlay, Con Lyne, (who was one of the mourners at the funeral when it took place originally at Paddington,) and myself, to a grave prepared for its reception at Glasnevin, where it now reposes.

"There were some circumstances attendant on the removal of the remains from the mausoleum at Lyons to the

cemetery, which invested the proceeding with a melancholy interest. I think it was on a very gloomy day of November that the remains were removed with strict privacy to Dublin. Towards night, and as we arrived in the metropolis, the weather was marked by peculiar severity; the rain fell in torrents, and a violent storm howled, whilst the darkness was relieved occasionally by vivid lightning, accompanied by peals of thunder. This added much to the solemnity of the scene as we passed slowly through the streets, from which the violence of the night had driven almost all persons. As we approached the cemetery, where groups of workmen, by the aid of torches, were engaged in making the necessary preparation for the deposit of the remains, the scene became most impressive and affecting; and after a brief period of delay, during which all around stood with uncovered heads as the body of the great Irishman was lowered to its place of final repose, the scene was marked by every feature of a grand and impressive picture of devotion. A magnificent monument of granite, from the design of Papworth, on the model of the tomb of Scipio, with the simple and impressive inscription of the name "CURRAN," is placed over the remains. The cost of this erection, as well as of a beautiful monument with a medallion likeness in relief, in St Patrick's Cathedral, Dublin, the work of the sculptor Moore, was defrayed by a public subscription, to which John Finlay, J. S. Corballis, and myself, were trustees. The officers of the Cathedral of St Patrick, who were entitled to certain fees on the erection of this monument, generously claimed to add the amount of these fees to the common object.—Yours ever truly,

A. CAREW O'DWYER.

"LONDON, *October* 1850."

It had been proposed that this ceremonial should have

been public, and performed amid all the pageantry of a national procession. To this, however, neither the good taste nor the good feeling of his son would assent. Thus at length, at the end of many years, the prophetic words of Curran were verified—"The last duties will be paid by that country on which they are devolved; nor will it be for charity that a little earth will be given to my bones. Tenderly will those duties be paid, as the debt of well-earned affection and of gratitude not ashamed of her tears."

APPENDIX

MR CURRAN'S SPEECH IN REPLY, FOR THE PLAINTIFF, IN MASSEY *v.* THE MARQUIS OF HEADFORD.

NEVER so clearly as in the present instance have I observed that safeguard of justice which Providence has placed in the nature of man. Such is the imperious dominion with which truth and reason wave their sceptre over the human intellect, that no solicitation, however artful—no talent, however commanding—can seduce it from its allegiance. In proportion to the humility of our submission to its rule do we rise into some faint emulation of that ineffable and presiding Divinity, whose characteristic attribute it is to be coerced and bound by the inexorable laws of its own nature, so as to be *all-wise* and *all-just* from necessity rather than election. You have seen it in the learned advocate who has preceded me most peculiarly and strikingly illustrated. You have seen *even* his great talents, perhaps the first in any country, languishing under a cause too weak to *carry* him, and too heavy to be *carried* by him. He was forced to dismiss his natural candour and sincerity, and, having no merits in his case, to take refuge in the dignity of his own manner, the resources of his own ingenuity, from the overwhelming difficulties with which he was surrounded. Wretched client! unhappy advocate! what a combination do you form! But such is the condition of guilt—its commission mean and tremulous—its defence artificial and insincere—its prosecution candid and simple—its condemnation dignified and

austere. Such has been the defendant's guilt—such his defence —such shall be my address to you—and such, I trust, your verdict. The learned counsel has told you that this unfortunate woman is not to be estimated at forty thousand pounds—fatal and unquestionable is the truth of this assertion. Alas! gentlemen, she is no longer worth anything; faded, fallen, degraded, and disgraced, she is worth less than nothing! But it is for the honour, the hope, the expectation, the tenderness, and the comforts that have been blasted by the defendant, and have fled for ever, that you are to remunerate the plaintiff by the punishment of the defendant. It is not her present value which you are to weigh; but it is her value at that time when she sat basking in a husband's love, with the blessing of Heaven on her head, and its purity in her heart; when she sat amongst her family, and administered the morality of the parental board. Estimate that past value—compare it with its present deplorable diminution—and it may lead you to form some judgment of the severity of the injury, and the extent of the compensation.

The learned counsel has told you, you ought to be cautious, because your verdict cannot be set aside for excess. The assertion is just; but has he treated you fairly by its application? His cause would not allow him to be fair; for, why is the rule adopted in this single action? Because, this being peculiarly an injury to the most susceptible of all human feelings, it leaves the injury of the husband to be ascertained by the sensibility of the jury, and does not presume to measure the justice of their determination by the cold and chilly exercise of its own discretion. In any other action it is easy to calculate. If a tradesman's arm is cut off, you can measure the loss which he has sustained; but the wound of feeling, and the agony of the heart, cannot be judged by any standard with which I am acquainted. And you are unfairly dealt with when you are called on to appreciate the present suffering of the husband by the present guilt, delinquency, and degradation of his wife. As well might you, if called on to give compensation to a man for the murder of his dearest friend, find the measure of his injury by weighing the ashes of the dead. But it is not, gentlemen of the jury, by weighing the ashes of the dead that you would estimate the loss of the survivor.

The learned counsel has referred you to other cases, and other countries, for instances of moderate verdicts. I can refer you to some authentic instances of just ones. In the next county, £15,000 against a subaltern officer. In Travers and M'Carthy, £5000, against a servant. In Tighe against Jones, £10,000, against a man not worth a shilling. What then ought to be the rule, where rank and power, and wealth and station, have combined to render the example of his crime more dangerous—to make his guilt more odious—to make the injury to the plaintiff more grievous, because more conspicuous? I affect no levelling familiarity, when I speak of persons in the higher ranks of society—distinctions of orders are necessary, and I always feel disposed to treat them with respect—but when it is my duty to speak of the crimes by which they are degraded, I am not so fastidious as to shrink from their contact, when to touch them is essential to their dissection. However, therefore, I should feel on any other occasion, a disposition to speak of the noble defendant with the respect due to his station, and perhaps to his qualities, of which he may have many, to redeem him from the odium of this transaction, I cannot so indulge myself here. I cannot betray my client, to avoid the pain of doing my duty. I cannot forget that in this action the condition, the conduct, and circumstances of the parties are justly and peculiarly the objects of your consideration. Who then are the parties? The plaintiff, young, amiable, of family and education. Of the generous disinterestedness of his heart you can form an opinion even from the evidence of the defendant, that he declined an alliance which would have added to his fortune and consideration, and which he rejected for an unportioned union with his present wife: she too, at that time, young, beautiful, and accomplished; and feeling her affection for her husband increase, in proportion as she remembered the ardour of his love, and the sincerity of his sacrifice. Look now to the defendant! Can you behold him without shame and indignation? With what feelings can you regard a rank that he has so tarnished, and a patent that he has so worse than cancelled? High in the army—high in the state—the hereditary counsellor of the King—of wealth incalculable—and to this last I advert with an indignant and contemptuous satisfaction, because, as the only instrument of

his guilt and shame, it will be the means of his punishment, and the source of his compensation.

But let me call your attention distinctly to the questions you have to consider. The first is the fact of guilt. Is this noble lord guilty? His counsel knew too well how they would have mortified his vanity, had they given the smallest reason to doubt the splendour of his achievement. Against any such humiliating suspicion he had taken the most studious precaution by the publicity of the exploit. And here, in this Court, and before you, and in the face of the country, has he the unparalleled effrontery of disdaining to resort even to a *confession of innocence.* His guilt established, your next question is, the damages you should give. You have been told that the amount of the damages should depend on circumstances. You will consider these circumstances, whether of aggravation or mitigation. His learned counsel contend that the plaintiff has been the author of his own suffering, and ought to receive no compensation for the ill consequences of his own conduct. In what part of the evidence do you find any foundation for that assertion? He indulged her, it seems, in dress—generous and attached, he probably indulged her in that point beyond his means; and the defendant now impudently calls on you to find an excuse for the adulterer in the fondness and liberality of the husband. But you have been told that the husband connived. Odious and impudent aggravation of injury—to add calumny to insult, and outrage to dishonour! From whom but a man hackneyed in the paths of shame and vice—from whom but a man having no compunctions in his own breast to restrain him, could you expect such brutal disregard for the feelings of others?—from whom but the cold-blooded seducer—from what, but from the exhausted mind, the habitual community with shame—from what, but the habitual contempt of virtue and of man, could you have expected the arrogance, the barbarity, and folly of so foul, because so false an imputation? He should have reflected, and have blushed, before he suffered so vile a topic of defence to have passed his lips. But, ere you condemn, let him have the benefit of the excuse, if the excuse be true. You must have observed how his counsel fluttered and vibrated between what they call connivance and injudicious confidence; and how, in affecting to distinguish,

they have confounded them both together. If the plaintiff has connived, I freely say to you, do not reward the wretch who has prostituted his wife, and surrendered his own honour—do not compensate the pandar of his own shame, and the willing instrument of his own infamy. But as there is no sum so low, to which such a defence, if true, ought not to reduce your verdict, so neither is any so high, to which such a charge ought not to inflame it, if such a charge be false. Where is the single fact in this case on which the remotest suspicion of connivance can be hung? Odiously has the defendant endeavoured to make the softest and most amiable feelings of the heart the pretext of his slanderous imputations. An ancient and respectable prelate, the husband of his wife's sister, chained down to the bed of sickness, perhaps to the bed of death—in that distressing situation, my client suffered that wife to be the bearer of consolation to the bosom of her sister—he had not the heart to refuse her—and the softness of his nature is now charged on him as a crime. He is now insolently told that he connived at his dishonour, and that he ought to have foreseen that the mansion of sickness and of sorrow would have been made the scene of assignation and of guilt. On this charge of connivance I will not further weary you or exhaust myself; I will add nothing more than that it is as false as it is impudent—that in the evidence it has not a colour of support—and that by your verdict you should mark it with reprobation. The other subject—namely, that he was indiscreet in his confidence—does, I think, call for some discussion; for I trust you see that I affect not any address to your passions, by which you may be led away from the subject. I presume merely to separate the parts of this affecting case, and to lay them, item by item, before you, with the coldness of detail, and not with any colouring, or display of fiction or of fancy. Honourable to himself was his unsuspecting confidence, but fatal must we admit it to have been, when we look to the abuse committed upon it: but where was the guilt of this indiscretion? He did admit this noble lord to pass his threshold as his guest. Now the charge which this noble lord builds on this indiscretion is—"Thou fool! thou hadst confidence in my honour—and that was a guilty indiscretion; thou simpleton! thou thoughtest that an admitted and a cherished guest would

have respected the laws of honour and hospitality, and thy indiscretion was guilt. Thou thoughtest that he would have shrunk from the meanness and barbarity of requiting kindness with treachery, and thy indiscretion was guilt."

Gentlemen, what horrid alternative in the treatment of wives would such reasoning recommend! Are they to be immured by worse than heathen barbarity? Are their principles to be depraved—their passions sublimated—every finer motive of action extinguished, by the inevitable consequences of thus treating them like slaves? Or is a liberal and generous confidence in them to be the passport of the adulterer, and the justification of his crimes?

Honourably, but fatally for his own repose, he was neither jealous, suspicious, nor cruel. He treated the defendant with the confidence of a friend, and his wife with the tenderness of a husband. He did leave to the noble marquis the physical possibility of committing against him the greatest crime which can be perpetrated against a being of an amiable heart and refined education, and the noble defendant had the honour to avail himself of it. In the middle of the day, at the moment of divine worship, when the miserable husband was on his knees, directing the prayers and thanksgivings of his congregation to their God—that moment did the remorseless adulterer choose to carry off the deluded victim from her husband—from her child—from her character—from her happiness; as if not content to leave his crime confined to its inseparable and miserable aggravations, unless he also gave it a cast and colour of factitious sacrilege and impiety. Oh, how happy had it been, when he arrived at the bank of the river with the ill-fated fugitive, ere yet he had committed her to that boat, of which, like the fabled Styx, the exile was eternal—how happy at that moment, so teeming with misery and with shame, if you, my Lord, had met him, and could have accosted him in the character of that good genius which had abandoned him! How impressively might you have pleaded the cause of the father, of the child, of the mother, and even of the worthless defendant himself! You would have said, "Is this the requital that you are about to make for respect and kindness, and confidence in your honour? Can you deliberately expose this young man, in the bloom of life, with all his hopes yet before

him? Can you expose him, a wretched outcast from society, to the scorn of a merciless world? Can you set him adrift upon the tempestuous ocean of his own passions, at this early season, when they are most headstrong? and can you cut him out from the moorings of those domestic obligations, by whose cable he might ride in safety from their turbulence? Think, if you can conceive it, what a powerful influence arises from the sense of home, from the sacred religion of the heart, in quelling the passions, in reclaiming the wanderings, in correcting the disorders of the human heart: do not cruelly take from him the protection of these attachments. But if you have no pity for the father, have mercy, at least, upon his innocent and helpless child: do not condemn him to an education scandalous or neglected—do not strike him into that most dreadful of all human conditions, the orphanage that springs not from the grave, that falls not from the hand of Providence or the stroke of death, but comes before its time, anticipated and inflicted by the remorseless cruelty of parental guilt." For the poor victim herself, not yet immolated—while yet balancing upon the pivot of her destiny, your heart could not be cold, nor your tongue be wordless. You would have said to him, "Pause, my lord, while there is yet a moment for reflection. What are your motives, what your views, what your prospects, from what you are about to do? You are a married man, the husband of the most amiable and respectable of women: you cannot look to the chance of marrying this wretched fugitive; between you and such an event there are two sepulchres to pass. What are your inducements? Is it love, think you? No; do not give that name to any attraction you can find in the faded refuse of a violated bed. Love is a noble and generous passion; it can be founded only on a pure and ardent friendship, on an exalted respect, on an implicit confidence in its object. Search your heart, examine your judgment, (and, in the estimate of a woman's worth, the selection of your own incomparable wife shows that you are not without discernment:) do you find the semblance of any one of these sentiments to bind you to her? What could degrade a mind, to which nature or education had given port, or stature, or character, into a friendship for her? Could you repose upon her faith? Look in her face, my Lord; she is at this moment

giving you the violation of the most sacred of human obligations as the pledge of her fidelity. She is giving you the most irrefragable proof that, as she is deserting her husband for you, so she would, without a scruple, abandon you for another. Do you anticipate any pleasure you might feel in the possible event of your becoming the parents of a common child? She is at this moment proving to you that she is as dead to the sense of parental as of conjugal obligation, and that she would abandon your offspring to-morrow with the same facility with which she now deserts her own. Look, then, at her conduct as it is, as the world must behold it, blackened by every aggravation that can make it either odious or contemptible, and unrelieved by a single circumstance of mitigation that could palliate its guilt, or retrieve it from abhorrence.

"Mean, however, and degraded as this woman must be, she will still (if you take her with you) have strong and heavy claims upon you. The force of such claims does certainly depend upon circumstances; before, therefore, you expose her fate to the dreadful risk of your caprice or ingratitude, in mercy to her, weigh well the confidence she can place in your future justice and honour. At that future time, much nearer than you think, by what topics can her cause be pleaded to a sated appetite, to a heart that repels her, to a just judgment, in which she never could have been valued or respected? Here is not the case of an unmarried woman, with whom a pure and generous friendship may insensibly have ripened into a more serious attachment, until at last her heart became too deeply pledged to be re-assumed: if so circumstanced, without any husband to betray, or child to desert, or motive to restrain, except what related solely to herself, her anxiety for your happiness made her overlook every other consideration, and commit her destiny to your honour; in such a case, (the strongest and the highest that man's imagination can suppose,) in which you at least could see nothing but the most noble and disinterested sacrifice; in which you could find nothing but what claimed from you the most kind and exalted sentiment of tenderness and devotion and respect; and in which the most fastidious rigour would find so much more subject for sympathy than blame—let me ask you, could you,

even in that case, answer for your own justice and gratitude? I do not allude to the long and pitiful catalogue of paltry adventures, in which it seems your time has been employed—the coarse and vulgar succession of casual connections, joyless, loveless, and unendeared: but do you find upon your memory any trace of any engagement of the character I have sketched? Has your sense of what you would owe in such a case, and to such a woman, been at least once put to the test of experiment? Has it even once happened that such a woman, with all the resolution of strong faith, flung her youth, her hope, her beauty, her talent, upon your bosom, weighed you against the world, which she found but a feather in the scale, and took you as an equivalent? and, if so, how did you then acquit yourself? Did you prove yourself worthy of the sacred trust reposed in you? Did your spirit so associate with hers as to leave her no room to regret the splendid disinterested sacrifice she had made? Did her soul find a pillow in the tenderness of yours, and a support in its firmness? Did you preserve her high in her own consciousness, proud in your admiration and friendship, and happy in your affection? You might have so acted; and the man that was worthy of her would have perished, rather than not so act as to make her delighted with having confided so sacred a trust to his honour. Did you so act? Did she feel that, however precious to your heart, she was still more exalted and honoured in your reverence and respect? Or did she find you coarse and paltry, fluttering and unpurposed, unfeeling and ungrateful? You found her a fair and blushing flower, its beauty and its fragrance bathed in the dews of heaven. Did you so tenderly transplant it as to preserve that beauty and fragrance unimpaired? Or did you so rudely cut it, as to interrupt its nutriment, to waste its sweetness, to blast its beauty, to bow down its faded and sickly head? And did you at last fling it, like 'a loathsome weed away?' If then to such a woman, so clothed with every title that could ennoble and exalt, and endear her to the heart of man, you could be cruelly and capriciously deficient, how can a wretched fugitive like this, in every point her contrast, hope to find you just? Send her then away. Send her back to her home, to her child, to her husband, to herself."—Alas! there was none to hold such language to this noble defendant;

he did not hold it to himself. But he paraded his despicable prize in his own carriage, with his own retinue, his own servants—this veteran Paris hawked his enamoured Helen from this western quarter of the island to a sea-port in the eastern, crowned with the acclamations of a senseless and grinning rabble, glorying and delighted, no doubt, in the leering and scoffing admiration of grooms, and ostlers, and waiters, as he passed.

In this odious contempt of every personal feeling, of public opinion, of common humanity, did he parade this woman to the sea-port, whence he transported his precious cargo to a country where her example may be less mischievous than in her own; where I agree with my learned colleague in heartily wishing he may remain with her for ever. We are too poor, too simple, too unadvanced a country, for the example of such achievements. When the relaxation of morals is the natural growth and consequence of the great progress of arts and wealth, it is accompanied by a refinement that makes it less gross and shocking: but for such palliations we are at least a century too young. I advise, you, therefore, most earnestly to rebuke this budding mischief, by letting the wholesome vigour and chastisement of a liberal verdict speak what you think of its enormity. In every point of view in which I can look at the subject, I see you are called upon to give a verdict of bold and just and indignant and exemplary compensation. The injury of the plaintiff demands it from your justice. The delinquency of the defendant provokes it by its enormity. The rank on which he has relied for impunity calls upon you to tell him, that crime does not ascend to the rank of the perpetrator, but the perpetrator sinks from his rank, and descends to the level of his delinquency. The style and mode of his defence is a gross aggravation of his conduct, and a gross insult upon you. Look upon the different subjects of his defence as you ought, and let him profit by them as he deserves: vainly presumptuous upon his rank, he wishes to overawe you by the despicable consideration. He next resorts to a cruel aspersion upon the character of the unhappy plaintiff, whom he had already wounded beyond the possibility of reparation: he has ventured to charge him with connivance. As to that, I will only say, gentlemen of the jury, do not give

this vain boaster a pretext for saying, that if the husband connived in the offence, the jury also connived in the reparation. But he has pressed another curious topic upon you: after the plaintiff had cause to suspect his designs, and the likelihood of their being fatally successful, he did not then act precisely as he ought. Gracious God! what an argument for him to dare to advance! It is saying this to him: "I abused your confidence, your hospitality; I laid a base plan for the seduction of the wife of your bosom; I succeeded at last, so as to throw in upon you that most dreadful of all suspicions to a man fondly attached, proud of his wife's honour, and tremblingly alive to his own; that you were possibly a dupe to confidence in the wife, as much as in the guest: in this so pitiable distress, which I myself had studiously and deliberately contrived for you, between hope and fear, and doubt and love, and jealousy and shame; one moment shrinking from the cruelty of your suspicion; the next fired with indignation at the facility and credulity of your acquittal;—in this labyrinth of doubt, in this frenzy of suffering, you were not collected and composed; you did not act as you might have done, if I had not worked you to madness; and upon that very madness which I have inflicted upon you, upon the very completion of my guilt and of your misery, I will build my defence. You did not act critically right, and therefore are unworthy of compensation." Gentlemen, can you be dead to the remorseless atrocity of such a defence? And shall not your honest verdict mark it as it deserves? But let me go a little further: let me ask you—for I confess I have no distinct idea of what should be the conduct of a husband so placed, and who is to act critically right—shall he lock her up, or turn her out? or enlarge or abridge her liberty of acting as she pleases? O, dreadful Areopagus of the tea-table! How formidable thy inquests, how tremendous thy condemnations! In the first case he is brutal and barbarous, an odious Eastern despot. "Lord, Ma'am, did you ever hear of anything like this odious Parson? His dear, pure, sweet, virtuous lady positively a prisoner! A padlock, large enough for a church, on the outside of her chamber; and a trap-door to her chimney, as if the charming Marquis could make his way to her in the disguise of a sweep!" In the next: "What! turn an innocent

woman out of his house, without evidence or proof, but merely because he is vile and mean enough to suspect the wife of his bosom, and the mother of his child!" Between these extremes, what intermediate degree is he to adopt? I put this question to you: Do you at this moment, uninfluenced by any passion, as you now are, but cool and collected, and uninterested as you must be, do you see clearly this proper and exact line, which the plaintiff should have pursued? I much question if you do. But if you did or could, must you not say, that he was the last man from whom you should expect the coolness to discover, or the steadiness to pursue it? And yet this is the outrageous and insolent defence that is put forward to you. My miserable client, when his brain was on fire, and every fiend of hell was let loose upon his heart, he should then, it seems, have placed himself before his mirror—he should have taught the stream of agony to flow decorously down his forehead. He should have composed his features to harmony—he should have writhed with grace, and groaned in melody. But look further to this noble defendant, and his honourable defence. The wretched woman is to be successively the victim of seduction and of slander. She, it seems, received marked attentions—here, I confess, I felt myself not a little at a loss. The witnesses could not describe what these marked attentions were, or are. They consisted not—if you believe the witness that swore to them—in any personal approach or contact whatsoever, nor in any unwarrantable topics of discourse. Of what materials, then, were they composed? Why, it seems a gentleman had the insolence at table to propose to her a glass of wine; and she—O most abandoned lady!—instead of flying, like an angry parrot, at his head, and bescreeching and bescratching him for his insolence, tamely and basely replies, "Port, sir, if you please." But, gentlemen, why do I advert to this folly—this nonsense? Not surely to vindicate from censure the most innocent and the most delightful intercourse of social kindness—of harmless and cheerful courtesy: "where virtue is, these are most virtuous." But I am soliciting your attention and your feeling to the mean and odious aggravation—to the unblushing and remorseless barbarity—of falsely aspersing the wretched woman he had undone. One good he has done: he has dis-

closed to you the point in which he can feel; for, how imperious must that avarice be, which could resort to so vile an expedient of frugality! Yes, I will say that, with the common feelings of a man, he would rather have suffered his £30,000 a-year to go as compensation to the plaintiff, than save a shilling of it by so vile an expedient of economy. He would rather have starved with her in a jail—he would rather have sunk with her into the ocean—than have so vilified her—than have so degraded himself. But it seems, gentlemen, and indeed you have been told, that, long as the course of his gallantries has been—and he has grown grey in the service—it is the first time he has been called upon for damages. To how many might it have been fortunate if he had not that impunity to boast! Your verdict will, I trust, put an end to that encouragement to guilt that is built upon impunity. The devil, it seems, has saved the noble Marquis harmless in the past; but your verdict will tell him the term of that indemnity is expired; that his old friend and banker has no more effects in his hands, and that if he draws any more upon him, he must pay his own bills himself. You will do much good by doing so: you may not enlighten his conscience, nor touch his heart, but his frugality will understand the hint. He may despise Epictetus, but he will listen with respect to Cocker, when he finds that he can enforce the precepts of his morality with all the precision of mathematical demonstration. He will adopt the prudence of age, and be deterred from pursuits in which, though he may be insensible of shame, he will not be regardless of expense. You will do more: you will not only punish him in his tender point, but you will weaken him in his strong one—his money. We have heard much of this noble lord's wealth, and much of his exploits, but not much of his accomplishments or his wit: I know not that his verses have soared even to the Poet's Corner. I have heard it said that an ass, laden with gold, could find his way through the gate of the strongest city; but, gentlemen, lighten the load upon his back, and you will completely curtail the mischievous faculty of a grave animal, whose momentum lies not in his agility, but his weight—not in the quantity of motion, but the quantity of his matter. There is another ground on which you are called upon to give most liberal damages, and that has been laid by

the unfeeling vanity of the defendant. This business has been marked by the most elaborate publicity. It is very clear that he has been allured by the glory of the chase, and not the value of the game. The poor object of his pursuit could be of no value to him, or he could not have so wantonly and cruelly and unnecessarily abused her. He might easily have kept this unhappy intercourse an unsuspected secret. Even if he wished for her elopement, he might easily have so contrived it that the place of her retreat would be profoundly undiscoverable; yet, though even the expense—a point so tender to his delicate sensibility—of concealing could not be a one-fortieth of the cost of publishing her, his vanity decided him in favour of glory and publicity. By that election he has, in fact, put forward the Irish nation, and its character, so often and so variously calumniated, upon its trial before the tribunal of the empire; and your verdict will this day decide whether an Irish jury can feel with justice and spirit upon a subject that involves conjugal affection and comfort, domestic honour and repose—the certainty of issue—the weight of public opinion—the gilded and presumptuous criminality of overweening rank and station. I doubt not but he is at this moment reclined on a silken sofa, anticipating that submissive and modest verdict by which you will lean gently on his errors; and expecting from your patriotism, no doubt, that you will think again and again before you condemn any great portion of the immense revenue of a great absentee, to be detained in the nation that produced it, instead of being transmitted, as it ought, to be expended in the splendour of another country. He is now probably waiting for the arrival of the report of this day, which I understand a famous note-taker has been sent hither to collect. (Let not the gentleman be disturbed.) Gentlemen, let me assure you it is more, much more the trial of you than of the noble marquis of which this important recorder is at this moment collecting the materials. His noble employer is now expecting a report to the following effect:—"Such a day came on to be tried at Ennis, by a special jury, the cause of Charles Massy against the most noble the Marquis of Headfort. It appeared that the plaintiff's wife was young, beautiful, and captivating; the plaintiff himself a person fond of this beautiful creature to distraction, and both doating on their

child: but the noble marquis approached her; the plume of glory nodded on his head. Not the goddess Minerva, but the goddess Venus had lighted upon his casque; 'the fire that never tires—such as many a lady gay had been dazzled with before.' At the first advance she trembled—at the second she struck to the redoubted son of Mars and pupil of Venus. The jury saw it was not his fault (it was an Irish jury): they felt compassion for the tenderness of the mother's heart, and for the warmth of the lover's passion. The jury saw, on the one side, a young, entertaining gallant: on the other, a beauteous creature, of charms irresistible. They recollected that Jupiter had been always successful in his amours, although Vulcan had not always escaped some awkward accidents. The jury was composed of fathers, brothers, husbands; but they had not the vulgar jealousy that views little things of that sort with rigour; and wishing to assimilate their country in every respect to England, now that they are united to it, they, like English gentlemen, returned to their box, with a verdict of sixpence damages and sixpence costs." Let this be sent to England. I promise you your odious secret will not be better kept than that of the wretched Mrs Massy. There is not a bawdy chronicle in London in which the epitaph, which you will have written on yourselves, will not be published; and our enemies will delight in the spectacle of our precocious depravity, in seeing that we can be rotten before we are ripe. But I do not suppose it: I do not, cannot, will not believe it. I will not harrow up myself with the anticipated apprehension.

There is another consideration, gentlemen, which I think most imperiously demands even a vindictive award of exemplary damages, and that is, the breach of hospitality. To us peculiarly does it belong to avenge the violation of its altar. The hospitality of other countries is a matter of necessity or convention; in savage nations, of the first; in polished, of the latter; *but the hospitality of an Irishman* is not the running account of posted and ledgered courtesies, as in other countries: it springs, like all his qualities, his faults, his virtues—directly from his heart. The heart of an Irishman is by nature bold, and he confides; it is tender, and he loves; it is generous, and he gives; it is social, and he is hospitable. This sacrilegious intruder has profaned the religion of that sacred

altar, so elevated in our worship, so precious to our devotion; and it is our privilege to avenge the crime. You must either pull down the altar, and abolish the worship, or you must preserve its sanctity undebased. There is no alternative between the universal exclusion of all mankind from your threshold, and the most rigorous punishment of him who is admitted and betrays. This defendant has been so trusted, he has so betrayed, and you ought to make him a most signal example.

Gentlemen, I am the more disposed to feel the strongest indignation and abhorrence at this odious conduct of the defendant, when I consider the deplorable condition to which he has actually reduced the plaintiff, and perhaps the still more deplorable one that he has in prospect before him. What a progress has he to travel through before he can attain the peace and tranquillity which he has lost! How like the wounds of the body are those of the mind! How burning the fever! How painful the suppuration! How slow, how hesitating, how relapsing the process to convalescence! Through what a variety of suffering, through what new scenes and changes must my unhappy client pass ere he can reattain, should he ever reattain, that health of soul of which he has been despoiled by the cold and deliberate machinations of this practised and gilded seducer! If, instead of drawing upon his incalculable wealth for a scanty retribution, you were to stop the progress of his despicable achievements by reducing him to actual poverty, you could not, even so, punish him beyond the scope of his offence, nor reprise the plaintiff beyond the measure of his suffering. Let me remind you, that in this action the law not only empowers you, but that its policy commands you to consider the public example, as well as the individual injury, when you adjust the amount of your verdict. I confess I am most anxious that you should acquit yourselves worthily upon this important occasion. I am addressing you as fathers, husbands, brothers. I am anxious that a feeling of those high relations should enter into, and give dignity to your verdict. But I confess it, I feel a tenfold solicitude when I remember that I am addressing you as my countrymen, as Irishmen, whose characters as jurors, as gentlemen, must find either honour or degradation in the result of your decision. Small as must be the distributive share of that national estimation that can

belong to so unimportant an individual as myself, yet do I own I am tremblingly solicitous for its fate. Perhaps it appears of more value to me, because it is embarked on the same bottom with yours; perhaps the community of peril, of common safety, or common wreck, gives a consequence to my share of the risk, which I could not be vain enough to give it, if it were not raised to it by that mutuality. But why stoop to think at all of myself, when I know that you, gentlemen of that jury, when I know that our country itself, are my clients on this day, and must abide the alternative of honour or infamy, as you shall decide? But I will not despond, I will not dare to despond. I have every trust, and hope, and confidence in you. And to that hope I will add my most fervent prayer to the God of all truth and justice, so to raise and enlighten, and fortify your minds, that you may so decide as to preserve to yourselves, while you live, the most delightful of all recollections, that of acting justly, and to transmit to your children the most precious of all inheritances, the memory of your virtue.

Damages—£10,000.

INDEX

ALLEN—a barrister, sketch of, p. 411—disappointments in college, 410—quarrel with an attorney, and hostile meeting, 411—wager of battle, 412—puzzles Macnally with the dead languages, *ib.*

AVONMORE—Barry Yelverton, chief baron, notice of, p. 63—sketch of, by Barrington, 64—anecdotes of, 63-74—Curran's appeal to, in the Court of Exchequer, 75—defence of Mr Grattan by, 77—eulogy on Blackstone by, 74.

BARRINGTON, SIR JONAH—sketches by, of Lord Avonmore, p. 64—of Lord Clare, 139—fights Macnally into fashion, 375.

BURGH, HUSSEY—description of, p. 40—by Barrington, 41—his patriotism and disinterestedness, 4—tributes, on moving a grant to his family, by Grattan, Yelverton, and Flood, 42, 43.

BURKE, EDMUND—notice of, by Grattan, p. 87-93.

BURROWES, PETER—sketch of, p. 390—his character of Grattan, 393—description of the means by which the Irish Union was carried, 247—specimens of his eloquence, 391-94—ludicrous absence of mind, 390—friendship for Plunket, 395—his motion for a criminal information, at Plunket's suit, 397—last interview between them, 398.

BUSHE, C. K.—his personal appearance, p. 377—sketch of, 373—specimens of his wit, 378—of his eloquence, 385, 389—his dinner at Lord Brougham's, 384—Brougham's description of his examination before a committee of the House of Lords, 382—epigrams by, 380 peroration to his speech, in Clonmacurry *v.* Piers, 385—his merit as a speaker, by Lord Brougham, 389—his notes on his speeches, 386.

CLONMELL, LORD—notice of, p. 35—description of, by Hardy, *ib.*—his disgust at public life in Ireland, *ib.*—his social qualities, 36—his steadfast friendship, *ib.*—his contest with Magee, proprietor of the Dublin Evening Post newspaper, 37—his strange interview with Byrne, the printer, relative to the publication of Rowan's trial, 38, 39.

COCKAIGNE—witness on Jackson's trial, p. 180—his visit to the author, 180—Curran's denunciation of, 183.

CORRY, ISAAC—his contest with Mr Grattan in the Irish parliament, p. 104—Grattan's invective against, 105—consequent duel, 106.

CURRAN—his birth, p. 5—parents, 6—attachment to his mother, and epitaph on her, *ib.*—amusements of boyhood, 9—anecdote of Mr Boyse by, 7—entrance into Trinity College, Dublin, 12—anecdotes of, there, 14—arrival in London and entrance at the Middle Temple, 15—letters describing his amusements and studies in London, 17-33—called to the Irish bar, 33—his description of his first important brief, 48—his visits to Old Bob Lyons, the Sligo attorney, during the long vacation, 50—sketch of Mount Raven, Lyon's residence, and its locality, *ib.*—Curran's singular escape in Sligo, as narrated by himself, 52—bon-mots by, 54, 57—his conflict with Judge Robinson, 58—duel with Captain Saint Ledger, 60—his charter

song for the society of the Knights of the Screw, 62—fine appeal to Lord Avonmore in K. *v.* Mr Justice Johnson, 75—anecdote of Grattan's simplicity, by, 114—his entrance into parliament, 123—specimen of his parliamentary style, 127—description of the pension list, 135-137—his quarrel with Fitzgibbon, 144—his second quarrel, 146—duel in consequence, 147—Fitzgibbon's animosity towards him when he became Lord Chancellor, 148—his memorable revenge before the judicial committee of the privy council, 148, 150—his dissatisfaction at the publication of his speeches, 159—votes against Lord Longueville, and insists on his receiving an equivalent for his borough, 163—his defences at the bar of those accused of treason, and the attempts to intimidate him, 165—trial of Archibald Hamilton Rowan; extracts from his speech on "description of Rowan," 169, 170—"on the liberty of the press," 170, 174—"on the volunteers of Ireland," 174, 175—"on the national representation," 175, 176—"on universal emancipation," 176, 177—"peroration," 178, 179—Curran drawn home by the people, 179—anecdote thereon, *ib.*—defence of the Reverend William Jackson, 183—trial of Peter Finnerty, and defence of him, 185—extracts from the speech, "on the facts which led to the prosecution," 188, 193—"on the prosecutions against the press," 193, 196—"on the employment of informers," 196, 198—his conduct on the trials consequent on the rebellion in 1798, 200—visits Lord Moira, at Donnington Park; presents Carolan's Irish Airs to Lady Charlotte Rawdon, with a poem, 201, 202—noble conduct on the treatment of Theobald Wolfe Tone, 216, 217—trial of the Sheares, 223—compelled to address the jury after midnight at the end of sixteen hours, his indignation, 228—"description of an infidel witness," 229, 230—trial of Oliver Bond, his "denunciation of an informer," 233, 235—the court obliged to interfere to protect him; his noble apostrophe to the soldiery, 235—speaks at the bar of the House of Lords, against Lord Edward Fitzgerald's attainder bill, extracts from his speech, 238—the Union, his detestation of it, anecdotes, 243, 245—visits Paris, 267—letter to Mr Plowden, *ib.*—extraordinary case of "Hevey *v.* Sirr,"—his speech, 269, 279—anecdotes of Godwin and Erskine, 279—trial of Robert Emmett; his mournful attachment to Curran's daughter; his letter to the father after his conviction, 308, 311—speech in defence of Owen Kirwan, for high treason—extracts, 215, 323—trial of Sir Henry Hayes for abduction, his speech for the prosecution, 323, 339—Curran in private life; his occasional deep dejection, 343—criticisms upon Milton, 341—specimens of his poetry, 8, 9, 15, 16, 50, 51, 347—discovery of Emmett's affection for his daughter, 296—Curran's personal appearance, 2, 373—portraiture of him, playing the violoncello, 29—account of his visit to Hampton Court, 30—takes his seat in the Rolls, 421—address of the bar, and his answer, 422—judgment in "Merry *v.* Power," 427—coolness with Mr Ponsonby, 433—his vindication, 435, 436—resigns his office, 439—address of the Roman Catholic board thereon, and answer, 440-43—contests the borough of Newry, speech on declining the contest, 432—letter from Paris to Mr Lube, 448-54—strange interview with Madame de Stael, 457—letter to Mr Perry, 456—mournful walks at night in the Priory gardens, 344—vindicates his high treason defences, 165—denunciation of Napoleon, 318-21—Emmett's letter to, 309—Byron's impression of Curran, 373—generous conduct to his juniors, 418—preparation of his speeches, 419—his remarks on the office of Lord Lieutenant, 438, 439—encounters a Cork fishwoman, 461—letter to Sir A. B. Faulkiner, 464—presentiment of his death, *ib.*—death and funeral, 468—account of the removal of his remains to Ireland as given by Mr O'Dwyer, 471—Mr W. H. Curran's letter, assenting thereto, 469—a public monument erected to him, 473—speech in Massey *v.* Headford, 475.

EMMETT—family of, p. 280—account of Temple and T. A. Emmett, 281-89—Robert, T. Moore's description of, 291—his affection for Miss Sarah Curran, 296—his speech on being called up for judgment, 297-305—his letter to Mr Curran, 308—conduct in prison, 306—lines by Moore, 308.

FINNERTY—notice of, p. 185—Curran's speech in defence of, 188-98—accompanies the Walcheren expedition and libels Lord Castlereagh, 187—honour-

able conduct of, 185—scene in the Court of King's Bench, on his being called up for judgment, *ib.*—anecdotes of, 186, 187.

FITZGIBBON—sketch of, by Barrington, p. 139—contest with Curran in the Irish House of Commons, 144-46—duel with Curran, 147—hostility to Curran, as Lord Chancellor, 148—conflict with Curran before the judicial committee, 148-50—kindness towards Rowan and his family, after Rowan's conviction, 152—offer of safety to Lord E. Fitzgerald, if he desisted from his disloyal projects, 153—humane attention to Lady Louisa Conolly, during Lord Edward's imprisonment, *ib.*—orders all his papers to be burned previous to his death, 154—Tone's sketch of him as chancellor, *ib.*—his description of the state of the tenantry of Ireland before the Union, 155—strange letter to Lord Castlereagh respecting the Act of Union, 155, 156—presents his first bag to Curran, *ib.*—owes his attorney-generalship to Grattan, 157—his only recorded bon-mot, *ib.*—Mr Daly's suspicion of, 156, 157.

FITZGERALD, LORD E.—account of, p. 236—organises the rebellion of 1798, 137—arrest, and death, *ib.*—bill to attaint him, after his death, 238—Curran opposes it before the House of Lords as counsel, 239—attainder reversed, 242—Byron's lines on, *ib.*

FLETCHER—notice of, p. 368—lays down the law in Rex *v.* Fenton, 362—his Wexford charge, 369—his appetite, *ib.*—bon-mot of Mr French, *ib*—contrasted with Norbury, 370.

FLOOD—notice of, p. 115—early intimacy with Grattan, 117—duel with Agar, 118—conflict with Grattan, 94—his career in the English parliament, 120—opinion of the Irish House of Commons, 123—sketch of, by Grattan, 102—apostrophe to an Irish whipper-in, 122.

GOOLD—sketch of, p. 370—his answer to Burke, *ib.*—his idea of himself, 371—contests with Grady in the Court of Common Pleas, 372—superior qualities as an advocate, 370.

GRADY—notice of, p. 371—his drollery in the Court of Common Pleas, 372—his retort upon Norbury, 372.

GRATTAN—sketch of, p. 85—his great public services, 85—his personal appearance and peculiarity of manner, 86—description of Burke and Chatham by, when at the Temple, 87—conflict with Egan in the Irish House of Commons, 79—receives a grant of £50,000 from the Irish parliament, 80—conflict with Mr Flood, 94-102—conflict with Mr Corry, 105—duel with Corry, 86—debut and success in the Imperial Parliament, 91, 92—sketches by, of Fox, 106—of Dean Kirwan, 109—of Father O'Leary, 110—of Flood, 102—escape of, at an election riot in Dublin, 111, 112—anecdotes of, 114, 115—extract from his speech on the tithe question, 110, 111—his appearance at midnight during the Union debate, 104—means by which the measure was carried, 252.

JACKSON, Rev. Mr—notice of, p. 180, 181—convicted of treason—poisons himself, and dies in the dock, 182—noble anecdote of, 183—betrayed by Cockaigne, his friend and attorney, 180.

KELLER—his character, p. 413—disappointment in the profession, 414—specimens of his peculiar humour, 414-416—his quarrel with Leader, and its ludicrous result, 415, 416.

KIRWAN, DEAN—the wonderful effect of his preaching, 107—his manner, *ib.*—singular anecdote of him in the pulpit, 108—his sermons, as published, ineffective, 107—his affecting funeral, 108—eloquent panegyric on him by Mr Grattan, in the Irish House of Commons, 109.

LYONS—Old Bob Lyons, the attorney, notice of, p. 49—gives Curran his first important brief, 48—Mount Raven, his residence, near Sligo, 50.

MACNALLY—sketch of, p. 374—loss of his thumbs, *ib.*—Barrington fights him into fashion, 375—his Justice of the Peace, 376—his risk of mutiny, *ib.*—his alleged pension, 377—author of Robin Hood, 374—his account of its profits, 375—his wager of battle case, 412.

MONKS OF THE SCREW—account of, p. 62—Curran's charter song, 62, 63.

MOORE, THOMAS—description of Robert Emmett in college, by, 291—lines on Emmett's death, 308—melody on Miss Curran's attachment, 314—extract from his Irish Melodies, 5.

NORBURY, LORD—description of, 364—appearance and manner during a trial at Nisi Prius, 363—imperturbable good humour, 364—disregard of life, 367—specimen of his manner in the Irish House of Commons, 362—interview with Mr Gregory on his proposed resignation of the Chief-Justiceship, 368—dislike to nonsuit, 364—hostility to a bill of exceptions, 365—Lord Clare's proposal to make him a bishop, 363—addresses to Robert Emmett, on his being called up for judgment, 304—refusal to consent to an adjournment in the case of the Sheares, 228—his general invitations, 366—consolatory message to Lord Erne, 368.

O'CONNELL—personal description of, p. 257—profound policy of, 258, 259—impatient of contradiction, 259—quarrel with, 259 (note)—his noble struggle for Catholic emancipation, 260—as an advocate, 261—humorous applications of poetry, in Parliament, *ib.*—his adaptation of nicknames, 262—description of, at an Irish aggregate meeting, 263—at the Clare election, 264—specimens of his method with a mob, 263, 264—false charge of cowardice against, 264—duel with Mr D'Esterre, 265, 266—His power and popularity, to what purposes applied, 260, 266—ingratitude to his memory, 267—letter on the death of Curran, 466.

PLUNKET—personal appearance of, 398—contrast between his apparent and real character, 399—character of his eloquence, *ib.*—eulogy on him by Curran, *ib.*—his determined opposition to the act of Union, 293—his denunciation of it, 249—his description of the means by which it was finally carried, *ib.*—his celebrated Hannibal vow, 293—praiseworthy departure from it, 294—conduct on the trial of Robert Emmett, 311, 312—vindicated from any act of ingratitude to Emmett' family, 311—extract from his own affidavit thereon, 396—necessity for his speech on the trial, discussed, 312—anecdote related by Dr Sandes, Bishop of Cashel, on the subject, 313—specimens of his eloquence in the Irish Parliament, 249, 293—in the Imperial, 402, 403—splendid success in the English House of Commons, 401—his career at the bar, 406, 407—anecdote of his power in defence of a prisoner, 407—his character of William III., 405, 406—specimens of his wit, 407, 408—his appointment as Master of the Rolls, in England, 409—his relinquishment of that office, *ib.* his compulsory retirement from the Irish woolsack, *ib.*—address to the Irish bar thereon, 409, 410.

ROCHE, SIR BOYLE—notice of, p. 59—the House of Commons jester, *ib.*—his definition of posterity, *ib.*—sarcasm on Curran by, *ib.*

ROWAN, ARCHIBALD HAMILTON—my introduction to, p. 166—impression of him left on me, *ib.*—tried for misdemeanour, 167—escape from prison, *ib.*—noble conduct of Irish boatmen to, 168—sails for France, and subsequently lands in America, where he resides himself, *ib.*—kindness of Lord Clare to, *ib.*—his address to Lord Clonmell, on pleading the King's pardon, 169, 9—travels to London, at the age of seventy-five, to demand an explanation from Sir Robert Peel, 169—his personal appearance and attendants, *ib.*—copious extracts from Curran's speech on his trial, 169-178.

SHEARES—Trial of the, p. 223—extract from their proclamation, 224, 225—notice of Armstrong, the informer, 225—Curran's description of, 226, 227—Toler's refusal to adjourn the case, after sixteen hours' sitting, 228—Curran's indignation, 229—his description of an infidel witness, 230, 231—condemnation of, 231—affecting address of John Shears, 232.

TONE, THEOBALD WOLFE—originally at the Irish bar, 205—embraces politics, *ib.*—becomes secretary to the Roman Catholic body, and founds the society of United Irishmen, 206—suspected of disaffection, *ib.*—Plunket's jocular proposal to him, *ib.*—alleged concurrence of Curran in some of his views, but no authority given, *ib.*—Curran's condemnation of agitators, 207—by the interest of friends permitted to expatriate himself; departs for America, *ib.*—interview with Russell and Thomas Addis Emmett, previously thereto, 208—conciliates Adet, the French ambassador in America, and obtains a recommendation to the French Directory, 209—interview with General Hoche, 210—Bantry Bay expedition, its failure, 211—Hoche's opinion of Napoleon, 210—the Texel expedition organised; its failure, 212—Tone's description of Buonaparte at that time, *ib.*—he sails on a third expe-

dition, under Hoche, 213—signalled by Sir John Borlase Warren, *ib.*—offered the means of escape, but refuses, and after a desperate naval engagement, is taken prisoner, 214—recognised; trial and condemnation by court-martial, 215—Curran's noble conduct, *ib.*—moves for a habeas corpus to bring Tone up, 216—affecting scene in the King's Bench, *ib.*—Tone commits suicide, 217—character of, 218—by Bushe, 219—the Directory pension Tone's widow and children, 220—widow of Tone; her interesting account of her interview with Napoleon, 221—Tone's son promoted and distinguished in the French army, dies in America, 221.

UNION, IRISH—strange letter from the Lord Chancellor Clare to Lord Castlereagh concerning, p. 155—agitation for the repeal of, detrimental to Ireland, 243—Mr Fox's opinion on the subject, 244—Curran's anticipation of the results of a Union to Ireland, *ib.*—Bishop Lanigan's address to the Lord-Lieutenant on its enactment, 245—Curran's match for it, *ib.*—the Marquis of Londonderry's misapprehension as to the means by which it was carried, 246—recapitulation of the means by which it was carried, by Mr Peter Burrowes, 247-49—by Mr Plunket, 249-52—by Mr Grattan, 252—by Mr Bushe, 253-55—all delivered in the Irish House of Commons, and proof thereof tendered.

THE END.

PRINTED BY WILLIAM BLACKWOOD AND SONS, EDINBURGH.

00141352

Digitized with financial assistance from the
Government of Maharashtra
on 26 March, 2016